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2004

**URBAN
MUNICIPAL**

BY-LAWS OF THE CITY OF HAMILTON

BY-LAWS 04-011

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Authority: Item 30, Planning and Economic
Development Committee
Report 04-001
CM: January 14, 2004

Bill No. 011

CITY OF HAMILTON

BY-LAW NO. 04-011

To Amend Zoning By-law No. 3692-92 (Stoney Creek) Respecting Lands located at 521 Barton Street

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the City of Stoney Creek" and is the successor to the former Regional Municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 3692-92 (Stoney Creek) was enacted on the 8th day of December, 1992, and approved by the Ontario Municipal Board on the 31st day of May, 1994;

AND WHEREAS it is intended to change the zoning of the lands hereinafter referred to, and to establish special requirements under Subsection 9 of By-law No. 3692-92 (Stoney Creek), passed on the 8th day of December, 1992 and approved by the Ontario Municipal Board by Order dated the 31st day of May, 1994.

AND WHEREAS this by-law is in conformity with the Official Plan of the City of Hamilton (formerly the City of Stoney Creek Official Plan), approved by the Minister under the Planning Act on May 12, 1986;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Map No. 1 of Schedule "A", appended to and forming part of By-law No. 3692-92 (Stoney Creek) is amended by changing the zoning from the site-specific Special Purpose Industrial "MSP-16" Zone to the site-specific Special Purpose Industrial "MSP-21" Zone, the lands comprised of Block 1 located on a portion of 521 Barton Street, the extent of boundaries of which are shown on a plan hereto annexed as Schedule "A".

2. That Subsection 9.6.2., "Special Exemptions" of Section 9.6.2, Special Purpose Industrial Zone, of Zoning By-law No. 3692-92, be amended by adding a new special exemption, "MSP-21", as follows:

"MSP-21 521 Barton Street East, Schedule "A", Map No. 1

In addition to the uses permitted in Section 9.6.2. of the Special Purpose Industrial "MSP" Zone, those lands zoned "MSP-21" by this By-law, may also be used for a restaurant, bakery and banquet facilities.

Notwithstanding the provisions of Paragraphs (a), (b), (d) and (h)(1) of Section 9.6.3 of the Special Purpose Industrial "MSP" Zone, for those lands zoned "MSP-21" by this By-law, the following shall apply:

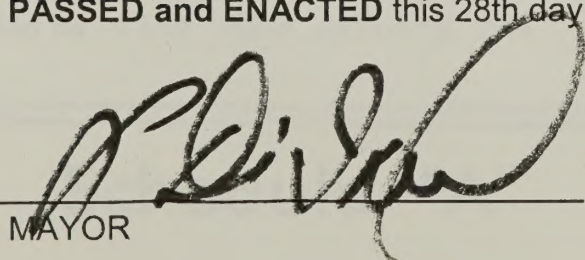
- (a) Minimum Lot Area - 2,100 square metres
- (b) Minimum Lot Frontage - 27 metres
- (d) Minimum Front Yard - 6.4 metres

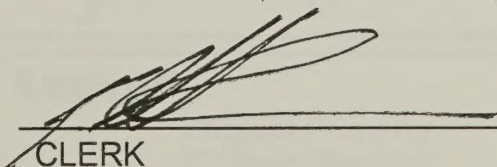
(h)(1) A landscape strip having a minimum width of 6.4 metres shall be provided and maintained adjacent to Dewitt Road except for points of egress and ingress.

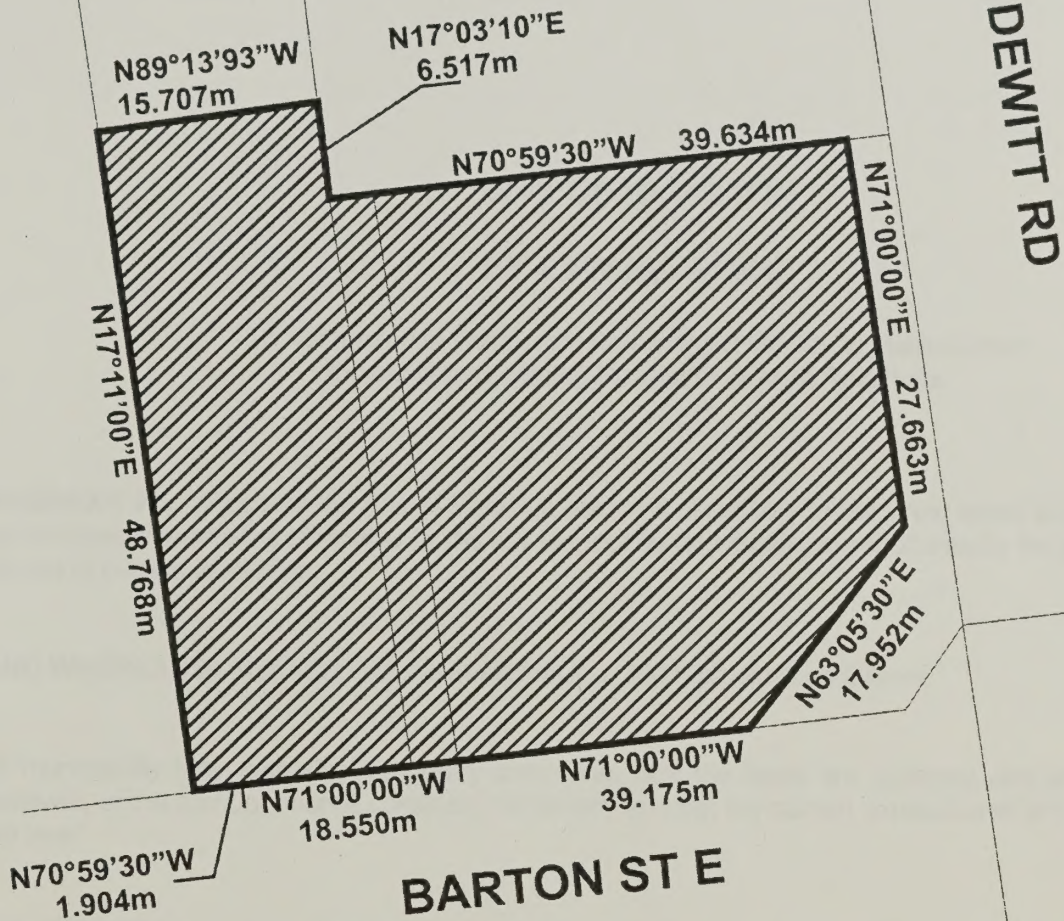
All parking provided in conjunction with or accessory to any permitted use shall be provided and maintained on lands zoned MSP-21. In addition, an outdoor patio restaurant shall be permitted in accordance with Section 8.1.7 and may encroach to a maximum of 4.5 metres into the required landscape strip adjacent to Dewitt Road."

3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 28th day of January, 2004.


MAYOR


CLERK



This is Schedule "A" to By-Law No. 04— 011

Passed the 28th day of January, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-011
to Amend By-Law No. 3692-92



Hamilton

Planning and Development Department

Legend

Subject Property

521 Barton Street East



Block 1: Change from "MSP-16" Zone to
"MSP-21" Zone

North



Scale

NOT TO SCALE

Date

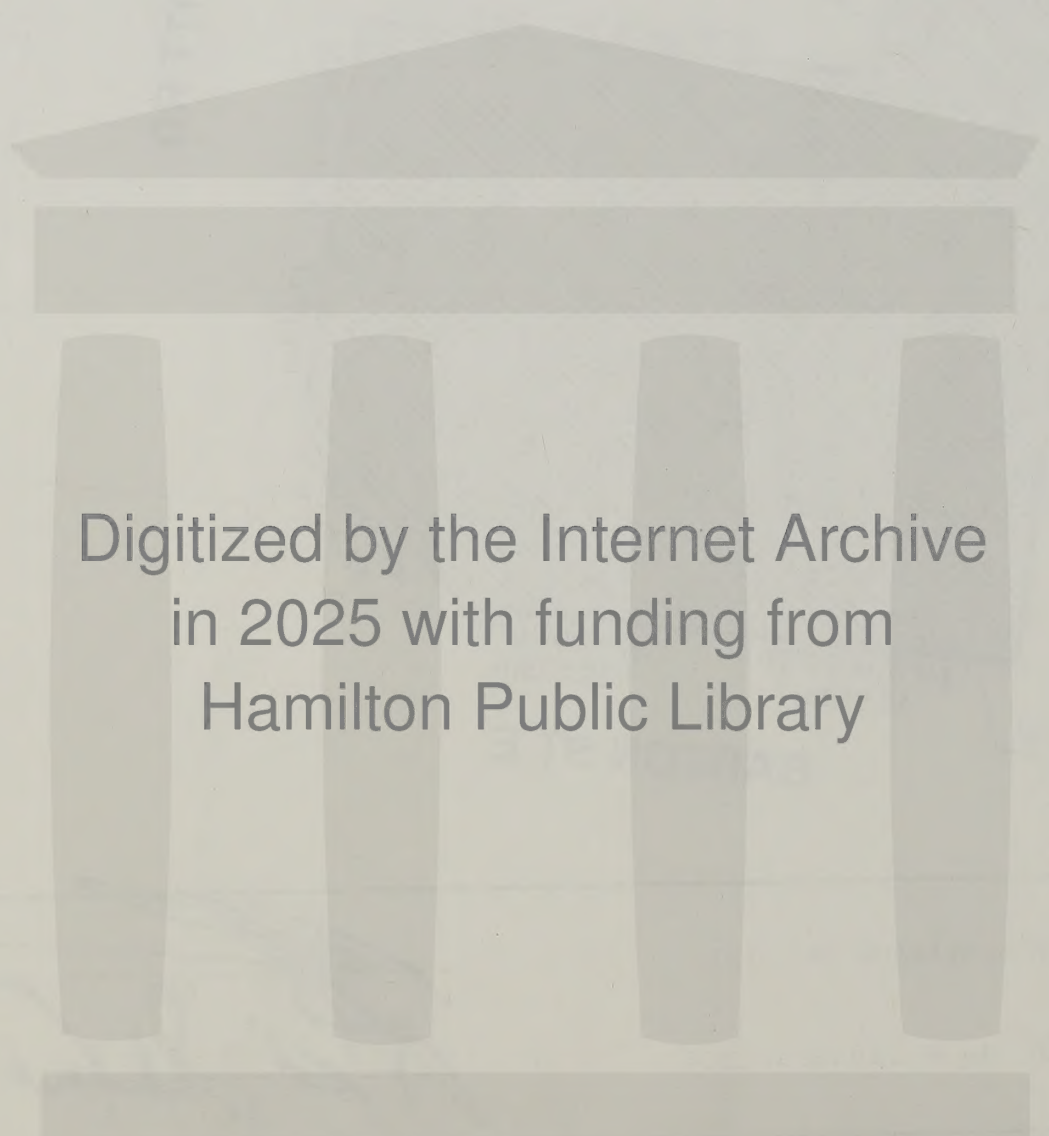
January 22, 2004.

Reference File No.

ZAR-03-74

Drawn By

NB



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<https://archive.org/details/32022213348630>

Authority: Item 1, Corporate Administration
Committee Report 04-002
(FCS04016)
CM: January 28, 2004

BILL NO. 012

CITY OF HAMILTON

BY-LAW NO. 04-012

To Authorize the Temporary Borrowing of Monies to Meet Current
Expenditures Pending Receipt of Current Revenues.

WHEREAS the Council for the City of Hamilton deems it necessary to pass and enact a by-law to authorize the temporary borrowing of monies by the city to meet current budget expenditures for the year 2004 pending receipt of current revenues;

AND WHEREAS section 407(1) of the *Municipal Act*, 2001, provides as follows:

"A municipality may authorize temporary borrowing, until the taxes are collected and other revenues are received, of the amount council considers necessary to meet the current expenditures of the municipality for the year"

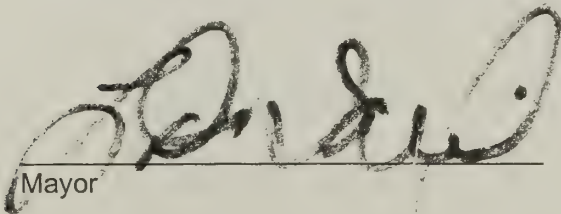
AND WHEREAS Section 407(2) of the said Act, imposes certain limitations on the amounts that may be borrowed at any one time:

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

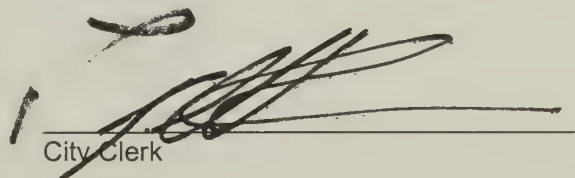
1. (1) The City of Hamilton is hereby authorized to borrow from a Bank or person by way of Promissory Notes or Bankers Acceptances from time to time a sum or sums of monies not exceeding at any one time the amounts specified in subsection (2) to pay off temporary bank overdrafts for the current expenditures of the City for the year 2004, including amounts for sinking funds, principal and interest falling due within such fiscal year and the sums required by law to provide for the purposes of the City.
- (2) The amount of monies that may be borrowed at any one time for the purposes of subsection (1), together with the total of any similar borrowings that have not been repaid, shall not, except with the approval of the Ontario Municipal Board, exceed the prescribed percentages of the total of the estimated revenues of the City as set forth in the estimates adopted for the year, which percentages are set out in section 407 of the *Municipal Act*, 2001 as it may be amended from time to time.

2. (1) Until estimates of revenue of the City for the 2004 year are adopted, borrowing shall be limited to the estimated revenues of the City as set forth in estimates adopted for the next preceding year.
- (2) The total estimated revenues of the City, including the amounts levied for Education purposes, adopted for the year 2003 are One Billion, Seventeen Million, Fifty Two Thousand, Eight Hundred and Fifty Five dollars (\$1,017,052,855).
3. All sums borrowed pursuant to the authority of this by-law, together with any and all similar borrowings in the current year and in previous years that have not been repaid shall, together with interest thereon, be a charge upon the whole of the revenues of the City for the current year and for all preceding years, as and when such revenues are collected or received.
4. The Treasurer shall, and is hereby authorized and directed to, apply in payment of all sums borrowed pursuant to this by-law, together with interest thereon, all of the monies thereafter collected or received for the current and preceding years, either on account or realized in respect of taxes levied for the current year and preceding years or from any other sources which may lawfully be applied for such purpose.
5. That the Mayor and failing such person, the Deputy Mayor of the City Council and failing such person, the City Manager, together with the Treasurer or any one of the Temporary Acting Treasurers be authorized and directed to sign and execute the aforesaid Promissory Notes and Bankers Acceptances, hypothecations, agreements and such other documents, writings and papers which shall give effect to the foregoing.
6. This by-law shall come into force and effect on the 1st day of January 2004, and shall remain in force and effect until December 31, 2004.

PASSED and ENACTED this 28th day of January, 2004.



Mayor



City Clerk

CITY OF HAMILTON

BY-LAW NO. 04-013

To Authorize AN INTERIM TAX LEVY for 2004

WHEREAS the Council for the City of Hamilton deems it necessary to pass a by-law to levy on the whole of the assessment for each property class in the local municipality rateable for a local municipality purpose, a sum not to exceed that which would be produced by applying the prescribed percentage (or 50 percent if no percentage is otherwise prescribed) of the total amounts billed to each property for all purposes in the previous year on the properties that, in the current year, are in the property class as provided for in Section 317 of The Municipal Act, 2001;

AND WHEREAS Section 317 of The Municipal Act, also authorizes a Municipal Council, by by-law, to adjust the interim taxes on a property if the Council is of the opinion that the Interim Levy on a property is too high or too low in relation to its estimate of the total taxes which will be levied on the property in 2004;

NOW THEREFORE the Council for the City of Hamilton hereby enacts as follows:

1. The interim tax levies shall be levied and collected upon the whole of the rateable property categories in columns 1 and 2, shown below:

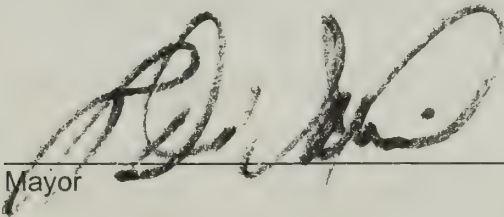
<u>Column 1</u>	<u>Column 2</u>
Class	Class Code
Residential	RT
Farmlands Awaiting Development	C1
Multi-Residential	MT
Residual Commercial	CT/DT
Residual Commercial Vacant	CU/DU
Shopping Centre	ST
Shopping Centre Vacant	SU
Parking and Vacant Commercial Land	CX/GT
Residual Industrial	IT
Residual Commercial Vacant Land and Unit	IU/IX
Large Industrial	LT
Large Industrial Vacant	LU
Pipeline	PT
Farmland	FT
Managed Forest	TT
Rail Right of Way	WT CN
Rail Right of Way	WT CP
Utility Right of Way	UT

2. The interim tax levy shall become due and payable in two installments as follows:

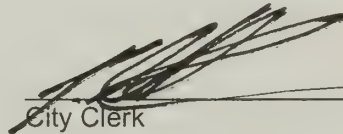
Fifty percent of the interim levy, rounded upwards towards the next whole dollar, shall become due and payable on the 27th day of February, 2004 and the balance of the interim levy shall become due and payable on the 30th day of April, 2004 and non-payment of the amounts due on the dates stated, in accordance with this section, shall constitute default.

3. The penalties and interest on the interim taxes in arrears shall be 1.25% per month, imposed on the first day of default and on the first day of each calendar month thereafter in which default continues.
4. The interim tax levy rates shall also apply to any property added to the Assessment Roll after this By-law is enacted.
5. This by-law shall come into force and effect on the 1st day of January, 2004.

PASSED and ENACTED this 28th day of January, 2004.



Mayor



City Clerk

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 014

City of Hamilton

BY-LAW No. 04-014

Respecting:

**Removal of Part Lot Control
Block 156
Registered Plan No. 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

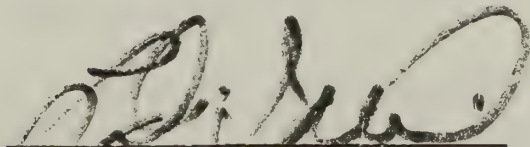
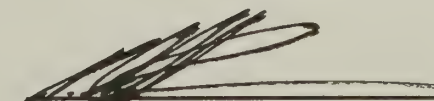
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 7 lots for street townhouses, a private road, and to create maintenance easements and rights of encroachment, shall not apply to the portion of the registered plan of subdivision that is designated as follows:

Block 156, Registered Plan No. 62M-950, in the City of Hamilton (Stoney Creek)

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: January 28, 2006.

PASSED this 28th day of January, 2004.


MAYOR
CLERK

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 015

City of Hamilton

BY-LAW No. 04-015

Respecting:

**Removal of Part Lot Control
Block 157
Registered Plan No. 62M-950**

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec. 50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

(7) **Designation of lands not subject to part lot control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities of the said Region;

AND WHEREAS as provided for in section 50(7.2) quoted above, this by-law is exempt from an approval in addition to this bylaw of the Council of the City of Hamilton because City Council is authorized to approve plans of subdivision under section 51 of the Planning Act.

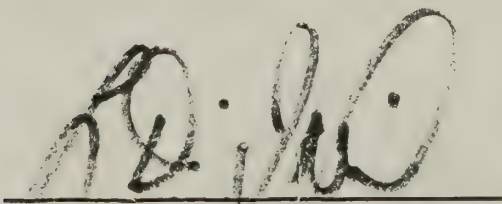
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

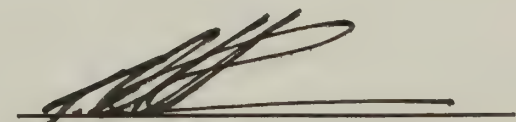
1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating 7 lots for street townhouses, a private road, and to create maintenance easements and rights of encroachment, shall not apply to the portion of the registered plan of subdivision that is designated as follows:

Block 157, Registered Plan No. 62M-950, in the City of Hamilton (Stoney Creek)

2. This by-law shall be registered on title to the said designated land and shall come into force and effect on the date of such registration.
3. The time period, during which the By-law remains in force, shall expire on the following specified date: January 28, 2006.

PASSED this 28th day of January, 2004.


MAYOR


CLERK

THE CITY OF HAMILTON

BY-LAW NO. 04-016

To Confirm the Proceedings of City Council at its meeting held on January 28, 2004

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

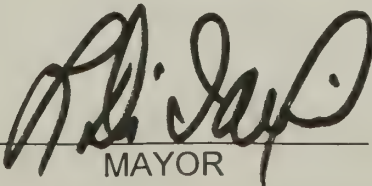
1. The Action of City Council at its meeting held on the 28th day of January, 2004 in respect of each recommendation contained in,

Public Works, Infrastructure and Environment Committee, Report 04-002, January 19, 2004,
Planning and Economic Development Committee, Report 04-002, January 20, 2004,
Corporate Administration Committee, Report 04-002, January 21, 2004,
Community Services Committee, Report 04-002, January 27, 2004,
Licensing Committee, Report 04-001, January 8, 2004 and
Selection Committee, Report 04-001, January 15, 2004

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 28th day of January, 2004


MAYOR


CITY CLERK

CHON HOK
H08 B91

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001

Bill No. 018

CITY OF HAMILTON

BY-LAW NO. 04-018

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"Main	North	Barons to 22.9m west of Cope	2 hr	6 pm – Midnight	Anytime
Main	North	Ottawa to Barons	2 hr	10 pm – 2 am	Anytime
Main	North	Cope to Strathearne	2 hr	10 pm – 2 am	Anytime"

and by adding to Section "E" thereof the following items, namely:

"Main	North	Barons to 22.9m west of Cope	2 hr	6 pm – Midnight	Anyday
Main	North	Ottawa to Barons	2 hr	10 pm – 2 am	Anyday
Main	North	Cope to Strathearne	2 hr	10 pm – 2 am	Anyday"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Ninth	North	East 45 th to Upper Ottawa	7 am – 6 pm" Mon - Sat
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3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"Campbell	North	commencing 72 feet west of Rosslyn and extending 16 feet westerly therefrom	Anytime
Campbell	South	commencing 30 feet west of Rosslyn and extending 19 feet westerly therefrom	Anytime
Campbell	North	commencing 73 feet east of Kensington and extending 18 feet easterly therefrom	Anytime
Gertrude	North	from 18m west of the extended west curb line of Rowanwood to 6.1m westerly	Anytime
Keith	South	from 42m west of Emerald to 5.5m westerly	Anytime
Mary	West	commencing 119 feet south of Murray and extending 16 feet southerly therefrom	Anytime
Paling	East	commencing 106 feet north of Britannia and extending 21 feet northerly therefrom	Anytime
Paling	West	commencing 102 feet north of Britannia and extending 21 feet northerly therefrom	Anytime"

and by adding to Section "E" thereof the following items, namely:

"Cope	East	from 64.9m north of Roxborough to 5.2m northerly	Anytime
Locke	West	from 14.9m north of the extended north curb line of Barton to 6.2m northerly	Anytime
West	East	from 77.4m north of King William to 5.8m northerly	Anytime"

4. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Limeridge South from 82.3m west of the extended west curb Anytime"
line of Rickingham to 189.6m westerly

and by adding to Section "E" thereof the following item, namely:

"Limeridge South from 82.3m west of the extended west curb Anytime"
line of Rockingham to 189.6m westerly

5. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"Berkindale East 26 feet 193 feet north of Bellamy 8:00 am – 5:00 pm
Monday to Friday

Strathcona East from 86.3m south of King to 6.1m 9:00 a.m. to 7:00 p.m.
southerly Monday to Friday

Valery North from 85.7m west of Bonaventure to Anytime"
6.1m westerly

and by adding to Section "E" thereof the following items, namely:

"Bay West from 53.6m north of Cannon to Anytime
6.4m northerly

East East from 11.6m north of Wilson to 8:00 a.m. to 10:00 p.m.
4.9m northerly Monday to Saturday

High East from 65 feet north of Sherwood 7:00 am - 11:00 am and
Rise to 52 feet northerly 2:00 pm – 6:00 pm
Monday to Friday

Tuxedo West from 32.6m north of Roxborough 8:00 a.m. to 4:00 p.m."
to 7.9m northerly Monday to Saturday

and by adding to Section "F" thereof the following item, namely:

"King North from 46.6m east of Second to 9.2m easterly Anytime"

6. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Queensdale 10.7m from 10.1m west of the extended curb line of Nancy to 10.7m 7:00 a.m. to 6:00 p.m."
Monday to Saturday

and by adding to Section "E" thereof the following item, namely:

"Queensdale South from 10.1m west of the extended curb line of Nancy to 10.7m westerly 7:00 a.m. to 6:00 p.m."
Monday to Saturday

7. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"Clifton Downs South 40 feet commencing at a point 112 feet west of Abbington 7:00 a.m. – 6:00 p.m."
Monday to Saturday

Kentley North commencing 25 feet east of Crawford to a point 25 feet easterly therefrom 7:00 a.m. – 6:00 p.m."
Monday to Friday

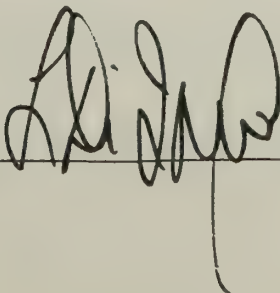
and by adding to Section "E" thereof the following item, namely:

"Sherwood Rise North 160 feet east of High to 184 feet easterly 7:00 a.m. to 6:00 p.m."
Monday to Saturday

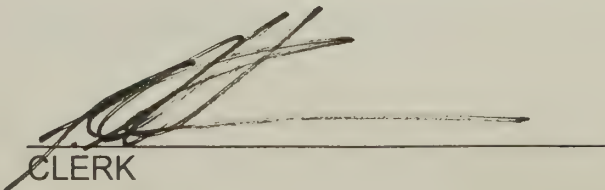
8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 11th day of February, 2004.

MAYOR



CLERK



THE CITY OF HAMILTON

BY-LAW NO. 04-019

**A BY-LAW FOR THE ESTABLISHMENT OF A PUBLIC LIBRARY BOARD
FOR THE CITY OF HAMILTON**

WHEREAS the Public Libraries Act, R.S.O. 1990, chapter P44, hereinafter called "the Act" provides that public libraries shall be under the management and control of a board, which is a corporation,

AND WHEREAS, the City of Hamilton Act, 1999 established a library board for the City of Hamilton, effective January 1, 2001, under the name "Hamilton Public Library Board",

AND WHEREAS, the regulations of the Act that outline the size and composition of a library board have changed since the establishment of the Hamilton Public Library Board under City of Hamilton By-Law No. 01-038;

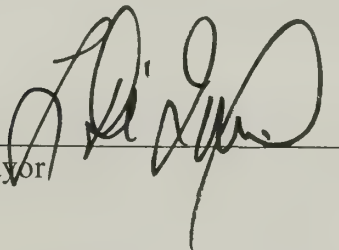
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That a public library board to be known as the Hamilton Public Library Board be established which shall manage and direct the Hamilton Public Library in accordance with the *Public Libraries Act, R.S.O. 1990, chapter P44*.
2. That the Hamilton Public Library Board shall be composed of eleven (11) persons appointed by the Council of the City of Hamilton of who two (2) shall be members of Council and nine (9) shall be citizen appointees.
3. That Council shall attempt to balance the citizen appointments to the Board, reflecting the City's multicultural, generational, geographic and vocational diversity.
4. That the term of a Library Board member shall, in compliance with the Act, be concurrent with the term of Council, with citizen appointees staying in place after a new Council has been elected until such time as the new Council names its appointees.
5. That the Hamilton Public Library Board shall have all responsibilities given to it by the Act.
6. That By-law No. 01-038 is hereby repealed.

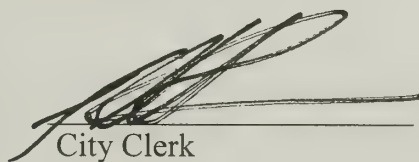
7. In the event of a conflict between the provisions of this by-law and the *Public Libraries Act, R.S.O. 1990, chapter P44 and its revisions*, the provisions of the *Act* prevail.
8. This by-law shall come into force and take effect on the date of its passing and enactment.

PASSED AND ENACTED this 11th day of February, 2004.

Mayor

A handwritten signature in black ink, appearing to be "D. J. [unclear]", written over a horizontal line.

City Clerk

A handwritten signature in black ink, appearing to be "J. [unclear]", written over a horizontal line.

CA4 ON HBL A08

B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee
Report 04-004 (PW04008)
CM: February 11, 2004

Bill No. 020

CITY OF HAMILTON

BY-LAW NO. 04- 020

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

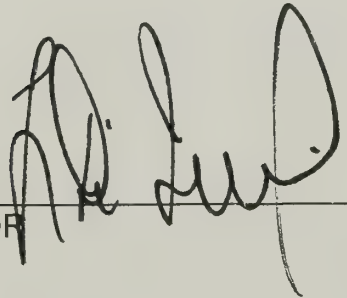
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs Locations) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Acadia	Northbound and Southbound	Balharbour"
---------	---------------------------	-------------
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

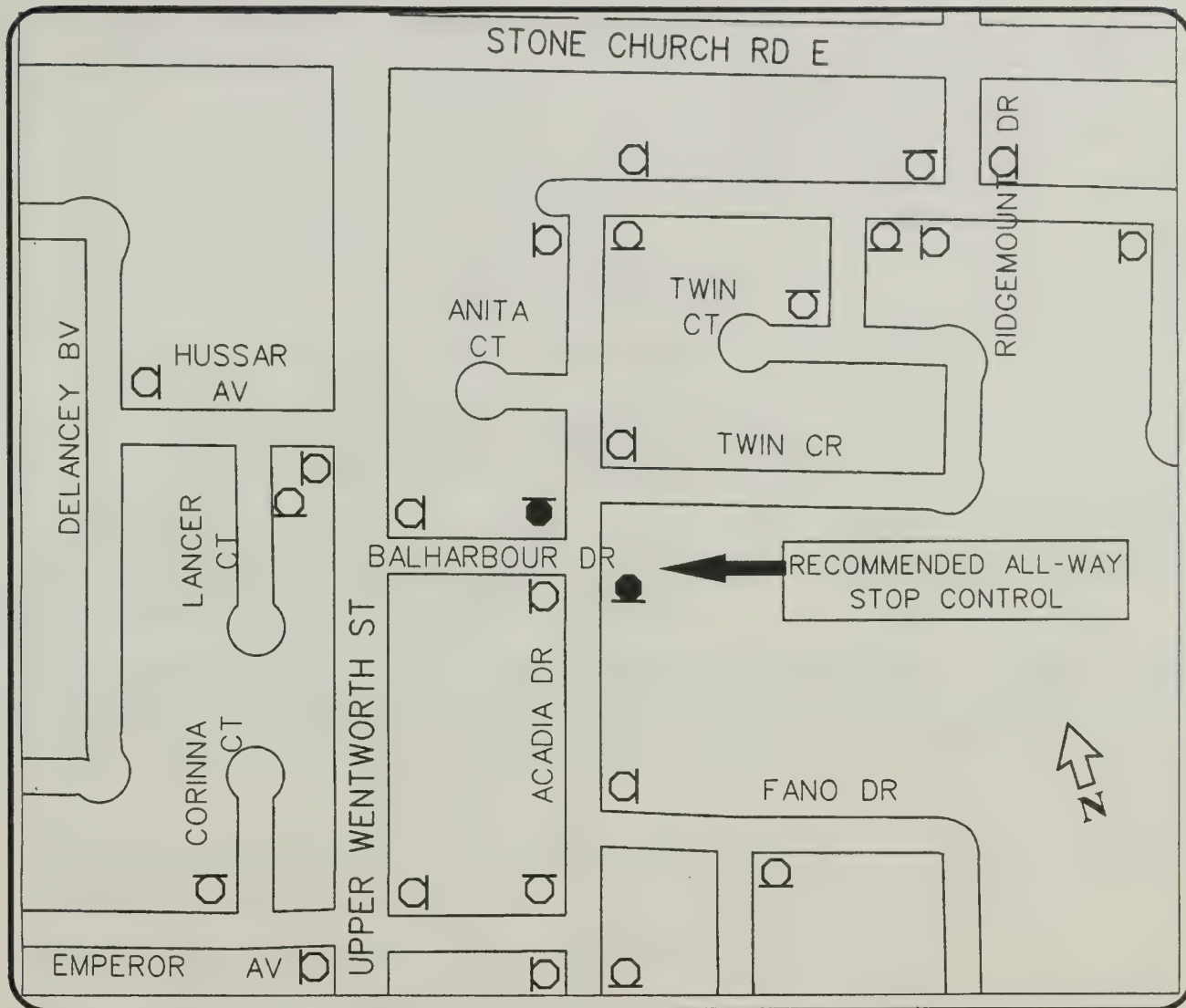
PASSED and ENACTED this 11th day of February, 2004



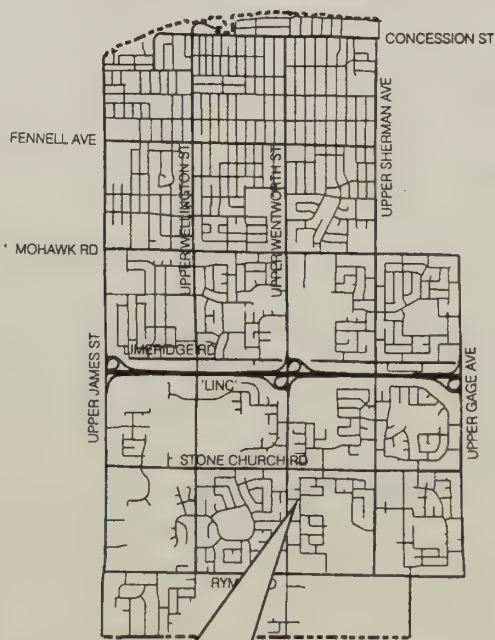
MAYOR



CLERK



KEY MAP



BALHARBOUR DRIVE
AT ACADIA DRIVE

HAMILTON
WARD 7



LOCATION PLAN

**ALL-WAY STOP CONTROL
AT
ACADIA DRIVE
AND
BALHARBOUR DRIVE**
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

	SUBJECT INTERSECTION		
	RECOMMENDED TRAFFIC SIGNAL		EXISTING TRAFFIC SIGNAL
	STOP SIGN		STOP SIGN
	YIELD SIGN		YIELD SIGN
	ROUNDABOUT		ROUNDABOUT

SCALE
NOT TO SCALE

DATE
2004-02-06

REFERENCE FILE NO: **PW04008**

Authority: Item 2, Public Works,
Infrastructure and Environment
Committee
Report 04-004 (PW04010)
CM: February 11, 2004

Bill No. 021**CITY OF HAMILTON****BY-LAW NO. 04-021**

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

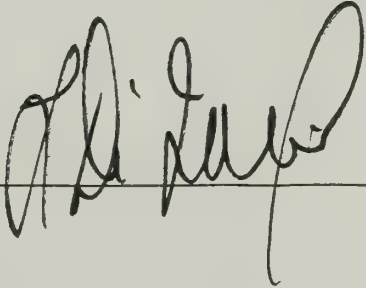
"Nashville	Westbound	Nashville
Nashville	Southbound	Webster
Vidal	Eastbound	Nashville"

2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

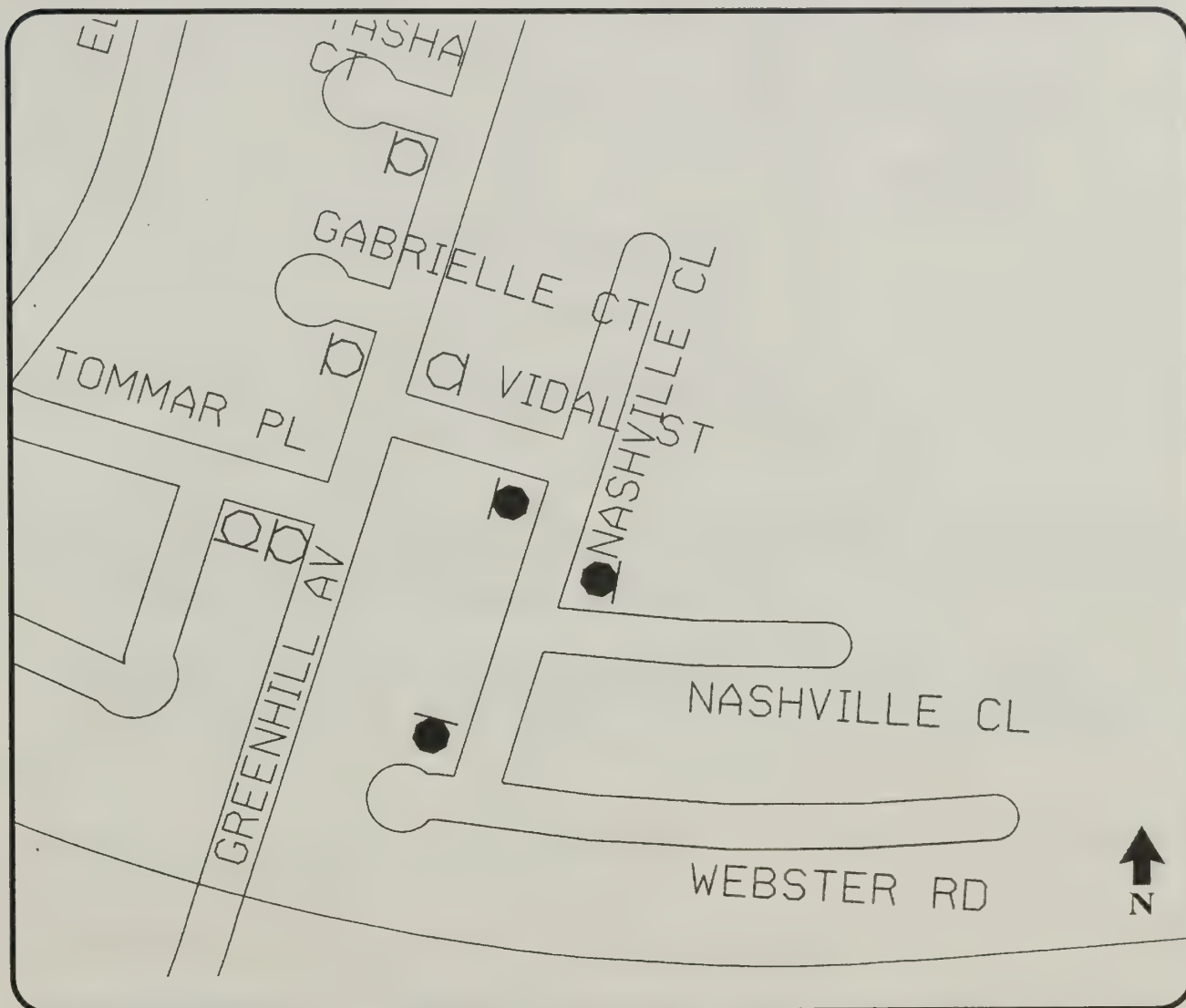
PASSED and ENACTED this 11th day of February, 2004

MAYOR

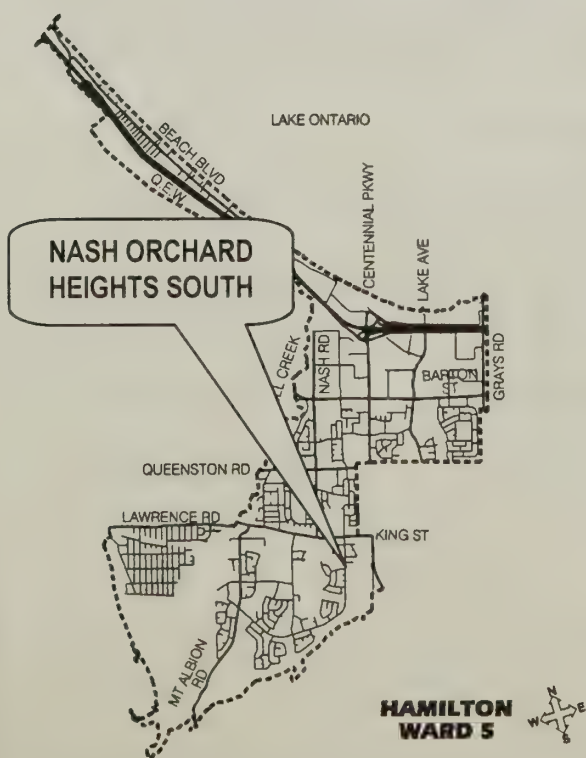
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CLERK

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KEY MAP



LOCATION PLAN

INTERSECTION CONTROL:

**NASH ORCHARD HEIGHTS
SOUTH SUBDIVISION**

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

	SUBJECT INTERSECTION
<u>RECOMMENDED</u>	<u>EXISTING</u>
	TRAFFIC SIGNAL
	STOP SIGN
	YIELD SIGN

SCALE
NOT TO SCALE

DATE
2004-02-06

REFERENCE FILE NO: **PW04010**

C44 ON HBL A08
B91

Authority: Item 3, Public Works,
Infrastructure and Environment
Committee
Report 04-004 (PW04011)
CM: February 11, 2004

Bill No. 022

CITY OF HAMILTON

BY-LAW NO. 04-022

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following items, namely:

"Monza Drive	Northbound	Falcon Road
Falcon Road (South Leg)	Eastbound	Fifty Road"

2. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "B" thereof the following items, namely:

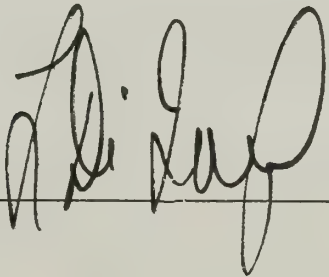
"Creekside Drive	Northbound	Hatt Street
Creekside Drive	Eastbound	Ogilvie Street"

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

3. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
4. This By-law shall come into force and take effect on the date of its passing and enactment.

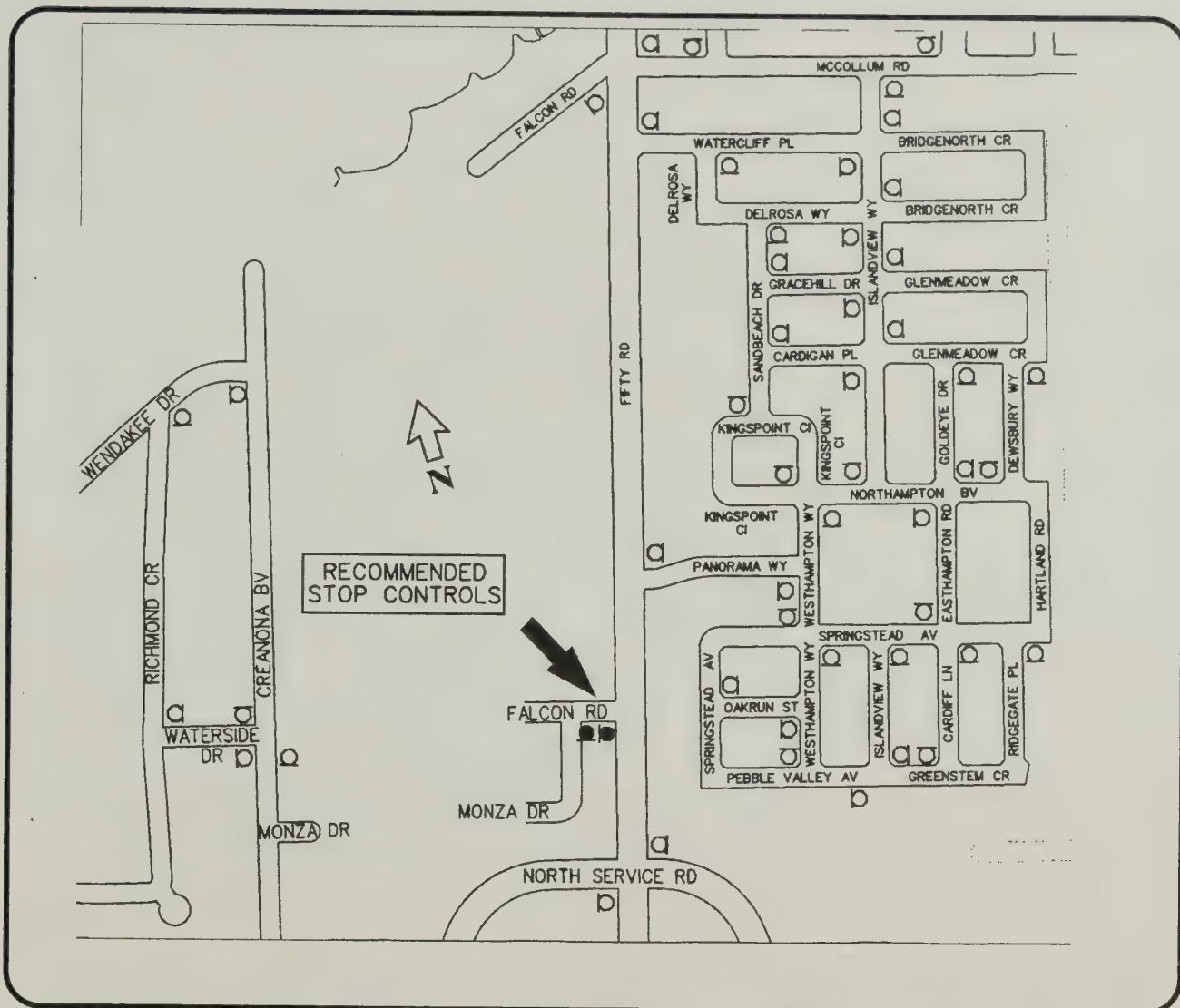
PASSED and ENACTED this 11th day of February, 2004

MAYOR

A handwritten signature in black ink, appearing to be "A. J. [unclear]", written over a horizontal line.

CLERK

A handwritten signature in black ink, appearing to be "J. [unclear]", written over a horizontal line.



KEY MAP

FIFTY POINT WEST

HAMILTON
WARD 11



LOCATION PLAN

STOP CONTROLS:

FIFTY POINT
WEST
SUBDIVISION
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➔ SUBJECT INTERSECTION

RECOMMENDED

EXISTING

● TRAFFIC SIGNAL

○ TRAFFIC SIGNAL

● STOP SIGN

○ STOP SIGN

▼ YIELD SIGN

▽ YIELD SIGN

◆ ROUNDABOUT

◇ ROUNDABOUT

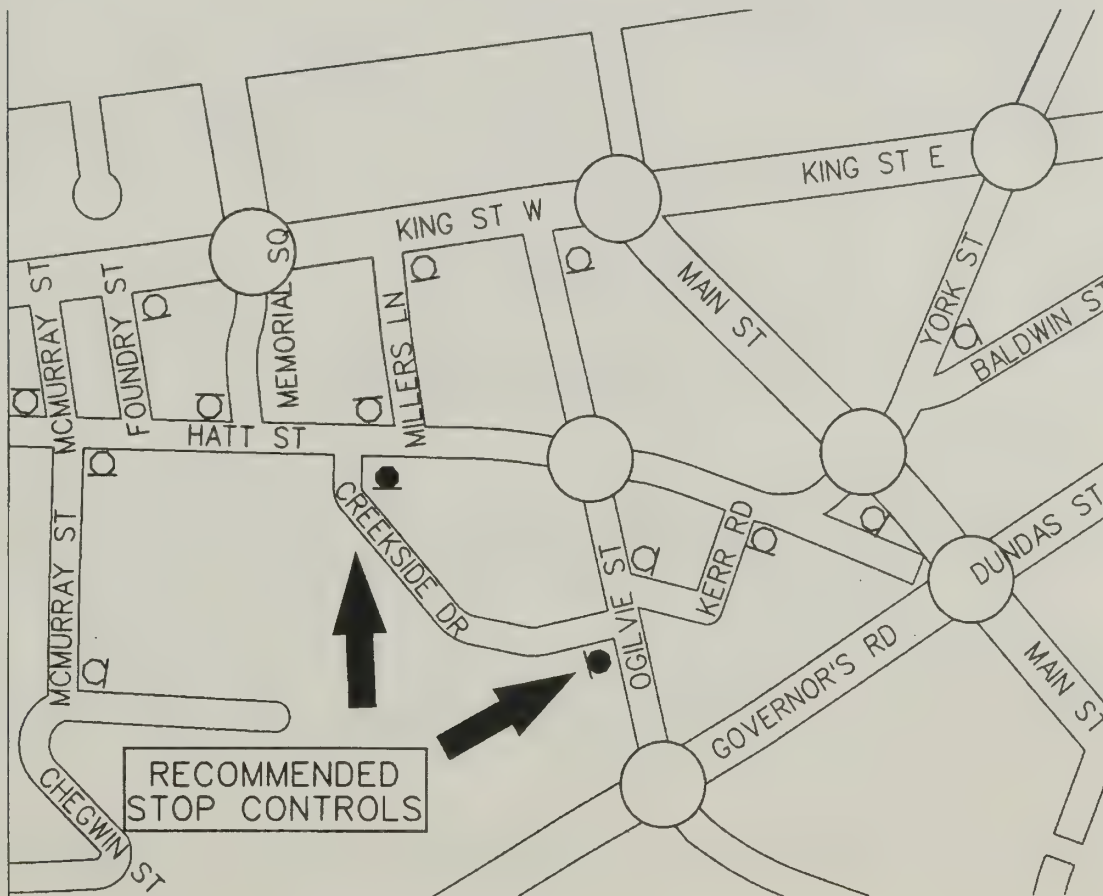
SCALE

DATE

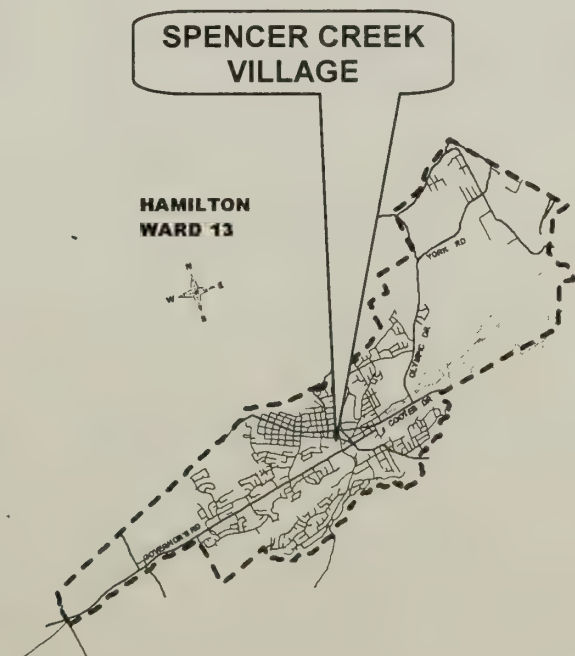
NOT TO SCALE

2004-02-06

REFERENCE FILE NO: PW04011



KEY MAP



LOCATION PLAN

STOP CONTROLS:
SPENCER CREEK
VILLAGE
SUBDIVISION
 CITY OF HAMILTON
 PUBLIC WORKS DEPARTMENT

LEGEND

	SUBJECT INTERSECTION		
<u>RECOMMENDED</u>		<u>EXISTING</u>	
	TRAFFIC SIGNAL		TRAFFIC SIGNAL
	STOP SIGN		STOP SIGN
	YIELD SIGN		YIELD SIGN
	ROUNDBOUT		ROUNDBOUT

SCALE
 NOT TO SCALE

DATE
 2004-02-06

REFERENCE FILE NO: PW04011

CA 4 ON HBL 408
B91

Authority: Item 4, Public Works,
Infrastructure and Environment
Committee
Report 04-004 (PW04012)
CM: February 11, 2004

Bill No. 023

CITY OF HAMILTON

BY-LAW NO. 04-023

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 2 (Speed Limits) of By-law No. 01-215, as amended, is hereby further amended by deleting from Subsection "5" of Section "G" thereof the following items, namely:

"Hwy 56	55m north of Guyatt Road	700m north of Binbrook Road	60
Hwy 56	700m north of Binbrook	475 m south of Binbrook Road	60"

and by adding to Subsection "5" of Section "G" thereof the following item, namely:

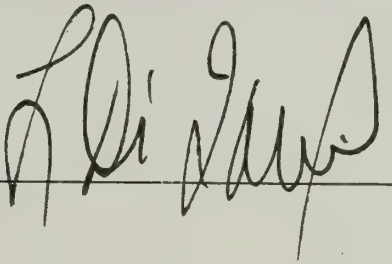
"Hwy 56	55m north of Guyatt Road	Cemetery Road	60"
---------	-----------------------------	---------------	-----

To Amend By-law No. 01-215
Being a By-law to Regulate Traffic

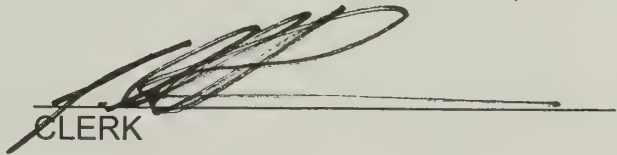
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

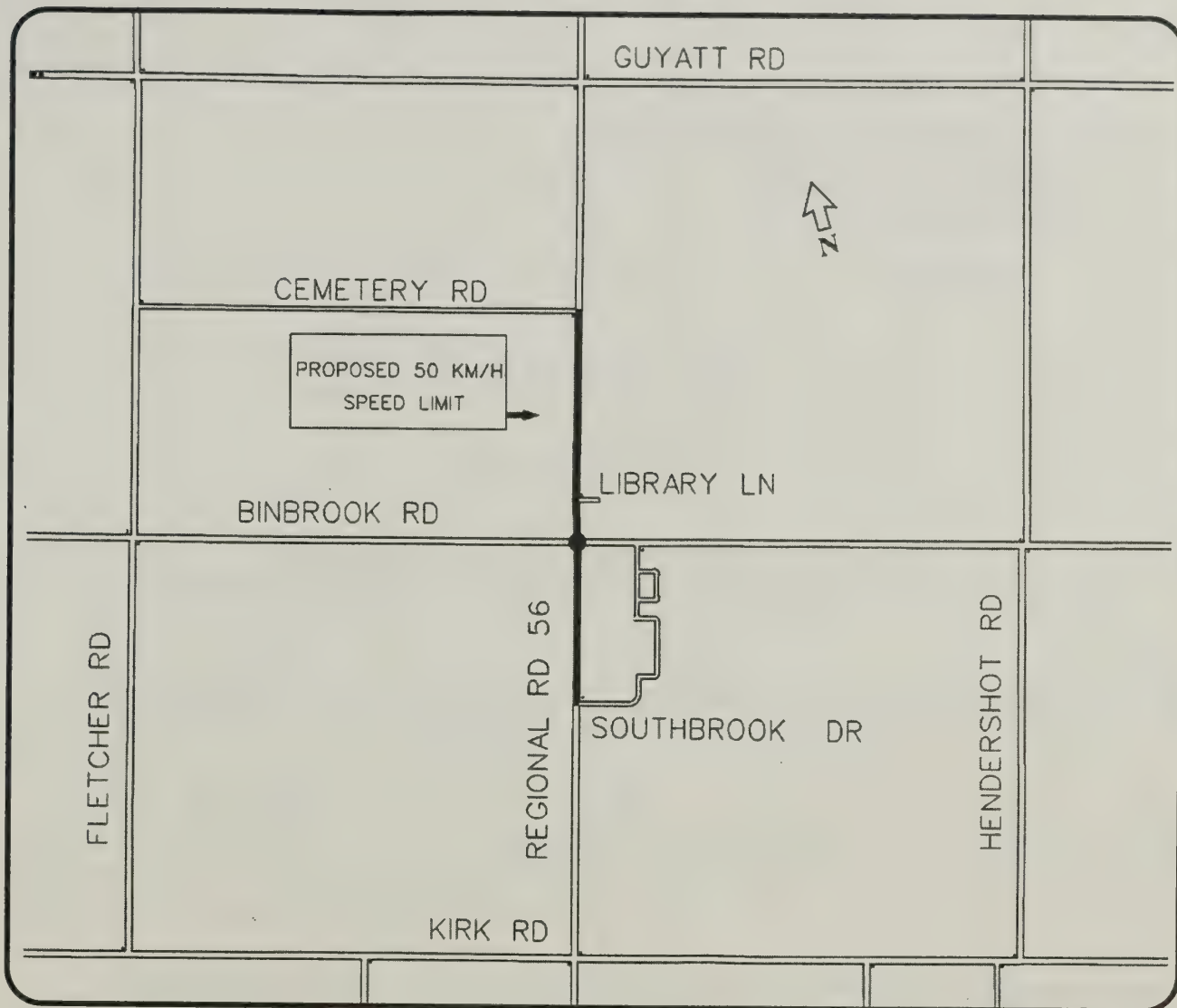
PASSED and ENACTED this 11th day of February, 2004

MAYOR



CLERK





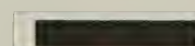
KEY MAP



LOCATION PLAN

**SPEED LIMIT
REQUEST:
HIGHWAY 56
BETWEEN
CEMETARY RD. & SOUTHBROOK RD.**
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND



SUBJECT ROAD

SCALE

NOT TO SCALE

DATE

2004-02-06

Authority: Item 3 , Planning & Economic
Development Committee
Report 04-003 (PD04040)
CM: Date February 11, 2004

Bill No. 024

CITY OF HAMILTON

BY-LAW NO. 04-024

To Amend Zoning By-law No. 87-57 (Ancaster) Respecting Lands Located at 47 Wilson Street East (Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap.14, Sch. C. did incorporate, as of January 1st, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former area municipality known as "The Corporation of the Town of Ancaster" and is the successor to the former regional municipality, namely, The Regional Municipality of Hamilton-Wentworth;

AND WHEREAS the City of Hamilton Act, 1999 provides that the Zoning By-laws of the former area municipalities continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS Zoning By-law No. 87-57 (Ancaster) was enacted on the 22nd day of June 1987 and approved by the Ontario Municipal Board on the 23rd day of January, 1989;

AND WHEREAS this By-law is in conformity with the Official Plan of the City of Hamilton (the Official Plan of the former Town of Ancaster).

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule "B", Map 1 of Zoning By-law No. 87-57 (Ancaster), as amended, is hereby amended by changing the zoning of the lands that are municipally known as 47 Wilson Street East and identified as **Block "1"** from the "Existing Residential "ER-224" to the Existing Residential "ER-505" Zone, and as **Block "2"** from the "Existing Residential "ER-224" to the Existing Residential "ER-506" Zone those lands being Part of Lot 43, Concession 3, former geographic Township of Ancaster and more particularly shown on Schedule "A" annexed hereto and forming part of this by-law.

By-law Respecting 47 Wilson Street East (Ancaster)

2. Section 33: Exceptions of Zoning By-law 87-57 (Ancaster), as amended, is hereby further amended by adding the following subsections:

ER-505 Notwithstanding any provision to the contrary of Subsection 10.1 – Permitted Uses of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-505” described as part of lot 34, concession 3, shall be subject to the following additional use:

Permitted Use:

These lands may also be used for a medical or dental office subject to the following provisions:

1. the area of such office shall not exceed 25 per cent of the floor area of the dwelling;
2. such office shall be used only for consultation and emergency or minor treatment and not a private clinic or hospital;
3. a minimum number of four (4) parking spaces shall be provided and maintained on the lot containing such office;
4. a sign indicating the name of a qualified medical practitioner shall be permitted; and,
5. enlargement or replacement of the existing residential buildings on such lands with new offices or buildings is prohibited.

Notwithstanding any provision to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-505” described as part of lot 34, concession 3, shall be subject to the following:

Regulations:

- | | | |
|----|----------------------|-------------------|
| 1. | Minimum Lot Area | 650 square metres |
| 2. | Minimum Lot Frontage | 16.5 metres |

By-law Respecting 47 Wilson Street East (Ancaster)

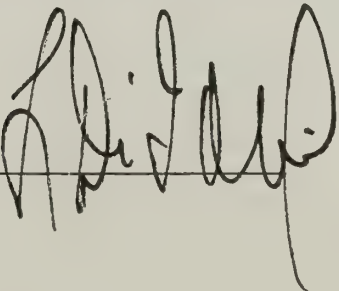
ER-506 Notwithstanding any provision to the contrary of Subsection 10.2 – Regulations of Section 10: Existing Residential “ER” Zone or any other section, of Zoning By-law No. 87-57 (Ancaster), the lands zoned “ER-506” described as part of lot 34, concession 3, shall be subject to the following:

Regulations:

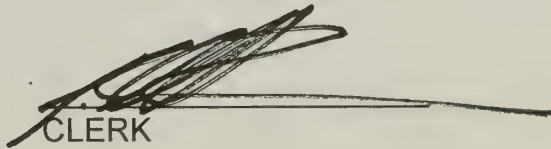
1. Minimum Lot Area 600 square metres
2. Minimum Lot Frontage 16.5 metres
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the Planning Act.

PASSED and ENACTED this 11th day of February, 2004

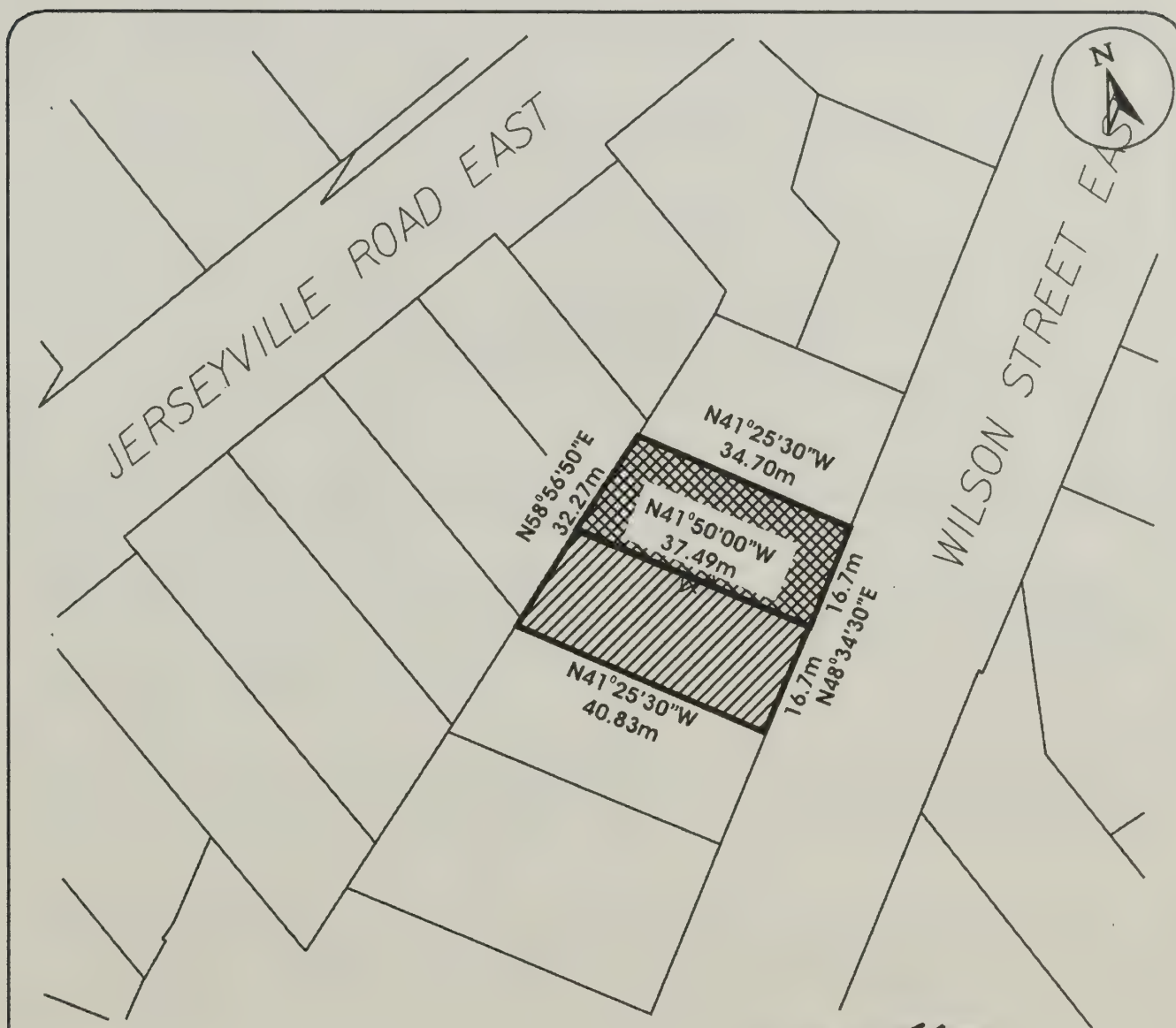
MAYOR



CLERK



Krystyna Jaworski – Owner
ZAR-03-105 (former Town of Ancaster)



This is Schedule "A" to By-Law No. 04—024

Passed the 11th day of February, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-024
to Amend By-Law No. 87-57



Hamilton

Planning and Development Department

Subject Property

47 Wilson Street East (Ancaster)



BLOCK 1: Change in zoning from Residential "ER-224" Zone to Existing Residential "ER-505" Zone



BLOCK 2: Change in zoning from Residential "ER-224" Zone to Existing Residential "ER-506" Zone

North



Scale

NOT TO SCALE

Date

January 12, 2004.

Reference File No.

ZAR-03-105

Drawn By

NB

CH 4 ON HBL H08
B91

Authority: Item 2, Hearings Sub-
Committee
Report 03-034 (PD03254)
CM: October 29, 2003

Bill No. 025

CITY OF HAMILTON

BY-LAW NO. 04-025

**To Amend Zoning By-law No. 6593
Respecting Lands Located at
422, 426, 428, 440, 456, 464 and 466 Beach Boulevard**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 16 of Report 03-034 of the Hearings Sub Committee at its meeting held on the 22nd day of October, 2003, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That Blocks "1" and "3" be rezoned from "C" (Urban Protected Residential) District to "RT-30" (Street Townhouse) District;
2. That Block "2" be rezoned from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street Townhouse) District;

3. That Blocks “4” and “6” be rezoned from “C” (Urban Protected Residential, etc.) District to “DE-2” (Multiple Dwellings) District;
4. That Block “5” be rezoned from “H” (Community Shopping and Commercial, etc.) District to “DE-2” (Multiple Dwellings) District;
5. That the “RT-30” (Street Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks “1”, “2” and “3” be modified to include the following special requirements:
 - (i) That Subsection 2.(2)A.(viid)(b) shall not apply where vehicular access to the required parking area is by means of a driveway located within a common element condominium corporation;
 - (ii) That notwithstanding Subsection 2.(2)C.(i), “Alley” shall mean a common element condominium corporation that provides the primary way for vehicular access to the abutting street-townhouse dwelling units;
 - (iii) That notwithstanding Subsection 10F.(3) of Zoning By-law No. 6593, no building or structure shall exceed two storeys, and no structure other than a building shall exceed 11.0 metres in height;
 - (iv) That notwithstanding Subsection 10F.(4)(a) of Zoning By-law No. 6593, a front yard depth of not less than 5.1m shall be provided and maintained;
 - (v) That notwithstanding Subsection 10F.(4)(c)(iii) of Zoning By-law No. 6593, a minimum sideyard of 2.0m shall be provided and maintained;
 - (vi) That notwithstanding Subsection 10F.(5)(c) of Zoning By-law No. 6593, a minimum distance of 4.0m shall be provided and maintained between buildings;
 - (vii) That notwithstanding Subsection 10F.(6)(i) of Zoning By-law No. 6593, a lot area not less than 140 square metres for each single family dwelling unit shall be provided and maintained;
 - (viii) That notwithstanding Subsection 18A(21) of Zoning By-law No. 6593, all required parking spaces and manouvering spaces shall have access by means of a driveway located within a common element condominium corporation;
 - (ix) That in addition to the requirements of Subsection 18A of Zoning By-law No. 6593, vehicular access to Beach Blvd. shall only be by way of an alley located at the rear of street-townhouse dwelling units;

6. That the "DE-2" (Multiple Dwellings) District provisions, as contained in Section 10B of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "4", "5" and "6" be modified to include the following special requirements:
- (i) That notwithstanding Subsection 10B.(3)(iii)(c) of Zoning By-law No. 6593, a minimum average rear yard of a depth at least 13m shall be provided and maintained;
 - (ii) The minimum average rear yard shall be the average rear yard measured from corners of the northerly limits of the four (4) multiple dwellings, of which at least 3 of the multiple dwellings shall provide a minimum rear yard measured to the westerly limits of Blocks "4" and "6" of at least 14m;
 - (iii) That notwithstanding Subsection 10B.(4)(iv) of Zoning By-law No. 6593, for a multiple dwelling a width of at least 9.0 metres and an area of at least 630.0 square metres shall be provided and maintained;
 - (iv) That in addition to the requirements of Subsection 10B.(6) of Zoning By-law No. 6593, a planting strip of not less than 1.5m in width shall be provided and maintained along the rear lot line;
 - (v) That notwithstanding Subsection 18A.(25) of Zoning By-law No. 6593, every access driveway to the multiple dwelling shall be located not less than 1.5m from the southerly lot line for that portion of the access driveway that is located more than 13.0m from the road allowance;
 - (vi) That notwithstanding Subsection 18A.(25) of Zoning By-law No. 6593, every access driveway to the multiple dwelling shall be located not less than 3.0 metres from the southerly lot line; and,
 - (vii) That in addition to the requirements of Subsection 10B and 18A of Zoning By-law No. 6593, no required parking, loading or manoeuvring spaces shall be located within the required rear yard.
7. That the "RT-30" (Street Townhouse) District provisions, as contained in Section 10F of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "1", "2" and "3" and the "DE-2" (Multiple Dwellings) District provisions, as contained in Section 10B of Zoning By-law No. 6593 (City of Hamilton), applicable to Blocks "4", "5" and "6" be modified to include the following special requirements:
- (i) Subsection 18(3)(vi)ccc) of Zoning By-law No. 6593 shall not apply to side yards;
 - (ii) the minimum ground floor elevation of any building or any building addition shall be 76.0 metres above mean sea level, as defined by the Geodetic Survey Datum;

422, 426, 428, 440, 456, 464 and 466 Beach Boulevard

- (iii) no basement or cellar shall be permitted for any building; and,
- (iv) any addition, less than 14 square metres in area, shall have a minimum floor area elevation at or above the existing ground floor elevation of the building;

8. That the amending By-law apply the holding provisions of Section 36(1) of the Planning Act, R.S.O. 1990, to the subject lands by introducing the holding symbol 'H' as a suffix to the proposed zoning district. The holding provision will prohibit the development of the subject lands until:

- (i) the owner/applicant shall investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environments recommended sound level limits. An acoustical report prepared by a qualified Professional Engineer containing the recommended control measures shall be submitted to the satisfaction of the Director, Development and Real Estate Division, Planning and Development Department;
- (ii) the owner has submitted a signed Record of Site Condition (RSC) to the Ministry of Environment. This RSC must be to the satisfaction of the City of Hamilton, including acknowledgement of receipt of the RSC from the Ministry of Environment;
- (iii) the owner has applied for and received draft plan approval for a plan of condominium for a common element condominium for the driveway on Blocks "1", "2" and "3" to the satisfaction of the Director, Development and Real Estate Division, Planning and Development Department; and,
- (iv) land assembly of Blocks "1" – "6", inclusive, has occurred to the satisfaction of the Director, Development and Real Estate Division, Planning and Development Department.

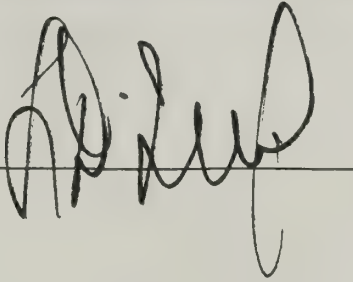
City Council may remove the 'H' symbol, and thereby give effect to the "RT-30" (Street Townhouse) District and "DE-2" (Multiple Dwellings) District, as amended by the special requirements of Sections (e), (f) and (g), as stipulated in this By-law, by enactment of an amending By-law once the above conditions have been fulfilled;

- 9. By-law No. 6593 is amended by adding this by-law to section 19B as Schedule S-1495.
- 10. Sheet No. E-80c of the District Maps are amended by marking the subject lands referred to in section 1 as S-1495.
- 11. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

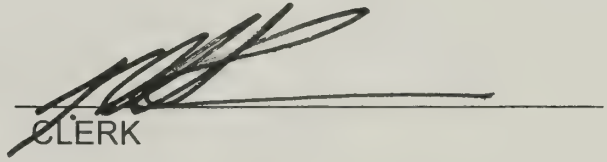
422, 426, 428, 440, 456, 464 and 466 Beach Boulevard

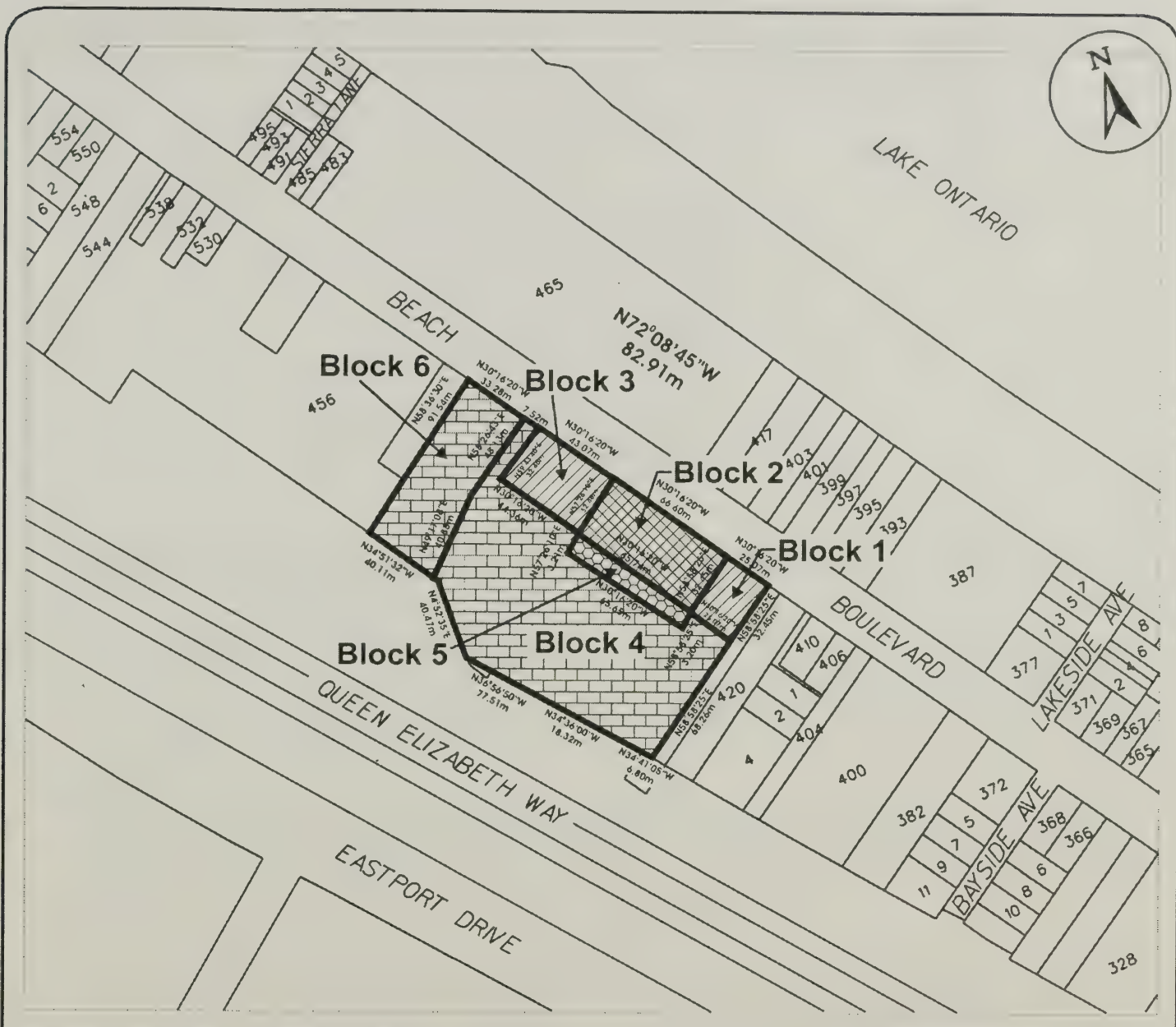
PASSED and ENACTED this 11th day of February, 2004.

MAYOR

A large, stylized handwritten signature in black ink, written over a horizontal line.

CLERK

A large, stylized handwritten signature in black ink, written over a horizontal line.



This is Schedule "A" to By-Law No. 04-025

Passed the 11th day of February, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-025
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Subject Property 440 Beach Blvd

Blocks 1&3



Change in zoning from "C" (Urban Protected Residential) District to "RT-30" (Street Townhouse) District, modified.

Blocks 4&6



Change in zoning from "C" (Urban Protected Residential) District to "DE-2" (Multiple Dwellings) District, modified.

Block 2



Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "RT-30" (Street Townhouse) District, modified.

Block 5



Change in zoning from "H" (Community Shopping and Commercial, etc.) District to "DE-2" (Multiple Dwellings) District, modified.

North



Scale

NOT TO SCALE

Date

Dec 24, 2003

Reference File No.

ZA-03-33

Drawn By

LM

CH4 ON HBL A08

B91

Authority: Item 6 , Planning and Economic
Development Committee
Report 04-002 (PD04021)
CM: January 28, 2004

Bill No. 026

CITY OF HAMILTON

BY-LAW NO. 04-026

To Amend Zoning By-law No. 6593 Respecting Lands Located at 406 Pritchard Road

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 6 of Report - 04-002 of the Planning and Economic Development Committee at its meeting held on the 28th day of January , 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

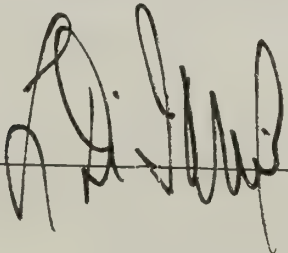
1. Sheet No. E-69d of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "M-13" – 'H' (Prestige Industrial - Holding) District;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

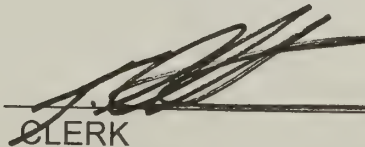
2. (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) land assembly between the subject lands and the lands included in the "Anchor Road Industrial Park" draft approved subdivision, and that draft plan of subdivision application 25T88030 has been revised to include the subject lands, to the satisfaction of the Director of Development and Real Estate, Planning and Development Department.
- (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 1 may at such time proceed in accordance with the "M-13" District provisions.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "M-13" District provisions, subject to the special requirements referred to in section 1.
4. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 11th day of February, 2004.

MAYOR



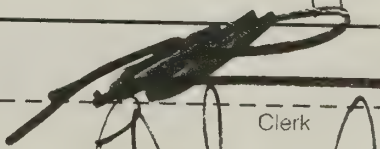
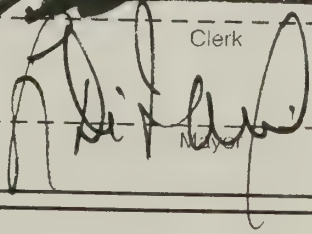
CLERK





This is Schedule "A" to By-Law No. 04 — 026

Passed the 11 th day of February, 2004


Clerk

Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-026
to Amend By-Law No. 6593

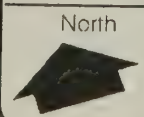


Planning and Development Department

Legend



Subject Property
Change in Zoning from "AA"
(Agricultural) District to "M-13"-H"
(Prestige Industrial - Holding) District
for the rear portion of the lands located at
406 Pritchard Road



Scale
NOT TO SCALE
Date
February 02, 2004

Reference File No.
ZAC-03-84
Drawn By
NB

Bill No. 027

CITY OF HAMILTON

BY-LAW NO. 04-027

REMOVAL OF PART-LOT CONTROL

Block 4-Plan 62M-855, "MEADOWLANDS PLACE" (Former Town of Ancaster)

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as "The Town of Ancaster" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7)) states, in part, as follows:

- (7) **Designation of lands not subject to Part-Lot Control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.
- (7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.
- (7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.
- (7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.
- (7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

- (7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

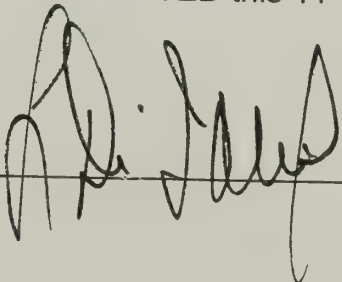
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of subdividing Block 4, Registered Plan 62m-855, into 11 parcels, shall not apply to the land within the portions of the registered plan of subdivision that are designated as follows:

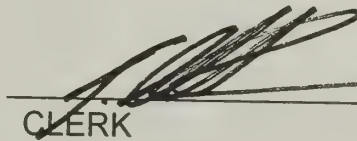
Parts 1 to 8, Reference Plan 62R-16642, and;
Parts 1 to 3, Reference Plan 62R-16575
2. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.
3. This By-law shall cease, expire and be of no further effect on February 11th, 2006.

PASSED and ENACTED this 11th day of February, 2004 .

MAYOR



CLERK



CA4 ON HBL A08.

Authority: Item 15, Committee of the Whole
Report 03-022 (PD03199)
CM: August 13, 2003

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 04-028

**BEING A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF THE
UNASSUMED ALLEY RUNNING NORTH/SOUTH FROM THE SOUTH LIMIT
OF 221 AVONDALE STREET TO THE NORTH LIMIT OF 235 AVONDALE
STREET, HAMILTON**

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on August 13, 2003, in adopting Item 15 of Committee of the Whole Report 03-022 authorized that steps be commenced pursuant to the *Registry Act*, R.S.O. 1990, Chap. R.20, as amended, for a Judge's Order to close that a portion of the unassumed alleyway, established by Registered Plan 374, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on 62R-16324.

AND WHEREAS a Judge's Order was issued and registered on title on January 23, 2004 as Instrument No. WE212010 to close a portion of the unassumed alleyway, established by Registered Plan 374, more particularly described as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324.

AND WHEREAS notice of the City's intention to pass this By-law has been published for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That part of the unassumed alleyway running north/south from the south limit of 221 Avondale Street to the north limit of 235 Avondale Street described as:

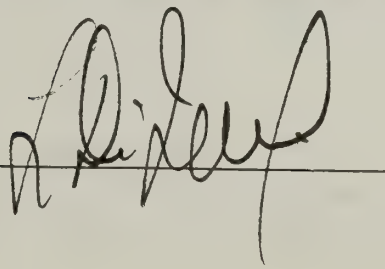
Part of the Public Lane on Registered Plan 374, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324, City of Hamilton

is hereby stopped up and closed.

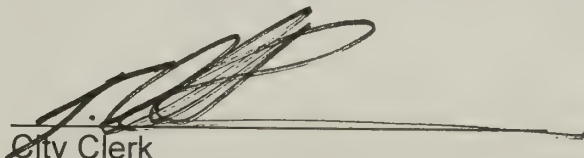
2. That the soil and freehold in said portion of the unassumed alleyway running north/south from the south limit of 221 Avondale Street to the north limit of 235 Avondale Street, and designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324, subject to a Right of Way in favour of Bell Canada over Parts 2, 5 and 6 on Plan 62R-16324, hereby stopped up and closed, be sold to 1233782 Ontario Inc., being the owners of the abutting property, for the sum of Three Thousand, Nine Hundred and Eighty-Eight Dollars (\$ 3,988.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED AND ENACTED on this 11th day of February, 2004.

Mayor



City Clerk



CA4 ON HBL A08
B91

Authority: Item 15, Committee of the Whole
Report 03-022 (PD03199)
CM: August 13, 2003

Bill No. 028

CITY OF HAMILTON

BY-LAW NO. 04-028

**BEING A BY-LAW TO STOP UP, CLOSE AND SELL A PORTION OF THE
UNASSUMED ALLEY RUNNING NORTH/SOUTH FROM THE SOUTH LIMIT
OF 221 AVONDALE STREET TO THE NORTH LIMIT OF 235 AVONDALE
STREET, HAMILTON**

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on August 13, 2003, in adopting Item 15 of Committee of the Whole Report 03-022 authorized that steps be commenced pursuant to the *Registry Act*, R.S.O. 1990, Chap. R.20, as amended, for a Judge's Order to close that a portion of the unassumed alleyway, established by Registered Plan 374, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on 62R-16324.

AND WHEREAS a Judge's Order was issued and registered on title on January 23, 2004 as Instrument No. WE212010 to close a portion of the unassumed alleyway, established by Registered Plan 374, more particularly described as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324.

AND WHEREAS notice of the City's intention to pass this By-law has been published for four consecutive weeks in the *Hamilton Spectator*, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That part of the unassumed alleyway running north/south from the south limit of 221 Avondale Street to the north limit of 235 Avondale Street described as:

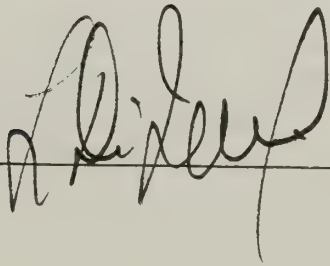
Part of the Public Lane on Registered Plan 374, designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324, City of Hamilton

is hereby stopped up and closed.

2. That the soil and freehold in said portion of the unassumed alleyway running north/south from the south limit of 221 Avondale Street to the north limit of 235 Avondale Street, and designated as Parts 1, 2, 3, 4, 5, 6, 7 and 8 on Plan 62R-16324, subject to a Right of Way in favour of Bell Canada over Parts 2, 5 and 6 on Plan 62R-16324, hereby stopped up and closed, be sold to 1233782 Ontario Inc., being the owners of the abutting property, for the sum of Three Thousand, Nine Hundred and Eighty-Eight Dollars (\$ 3,988.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED AND ENACTED on this 11th day of February, 2004.

Mayor



City Clerk



CITY OF HAMILTON**BY-LAW NO. 04-029****TO AMEND BY-LAW NO. 03-301
GOVERNING THE PROCEEDINGS OF COUNCIL
AND COMMITTEES OF COUNCIL**

WHEREAS the Council of the City of Hamilton enacted by-law 03-301 being a By-law to Govern the Proceedings of Council and Committees of Council, on October 29, 2003, pursuant to section 238, of the Ontario Municipal Act, 2001, c. 24;

AND WHEREAS the Council of the City of Hamilton has determined that it is necessary to amend certain provisions of the By-law, in order to provide for efficient conduct of the proceedings of the Council and its Committees;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 3.8 of the Procedural By-law, being By-law No. 03-301, enacted by the City of Hamilton on October 29, 2003, is amended by adding a Private and Confidential subsection to the Council Agenda as (j) and renumbering the subsections as follows:
 - 3.8 (j) Private and Confidential
 - (k) By-law and Confirming By-law
 - (l) Adjournment
2. Section 5.3 of the said By-law is amended by deleting the words "one (1) representatives" and adding the words "the rotating Chairs" to subsection (2) to now read as follows:
 - 5.3 (2) The Strategic Planning & Budgets Committee shall be composed of the Mayor as Chair and the rotating Chairs from each of the five (5) Standing Committees.
3. Section 5.3 of said By-law is amended by deleting subsection (3) in its entirety and renumbering the remaining subsections accordingly.

4. Section 5.9 of the said By-law is amended by adding the word "/Delegations" to subsection (f) to now read as follows:

5.9 (f) Public Hearings/Delegations

5. Section 5.9 of the said By-law is amended by adding the words "/Other Business" to subsection (k) to now read as follows:

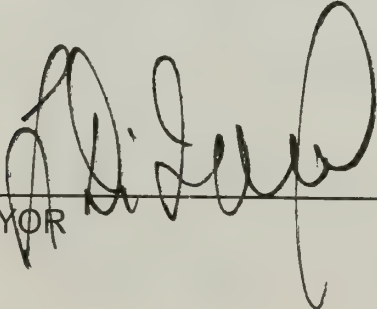
5.9 (k) General Information/Other Business

6. Section 5.9 of the said By-law is amended by renumbering the Private and Confidential and Adjournment subsections as follows:

5.9 (l) Private and Confidential

(m) Adjournment

PASSED and ENACTED this 11th day of February, 2004.



MAYOR

CLERK

C44 ON HBL 1708
B91

Bill No. 030

THE CITY OF HAMILTON

BY-LAW NO. 04-030

To Confirm the Proceedings of City Council at its meeting held on February 11, 2004

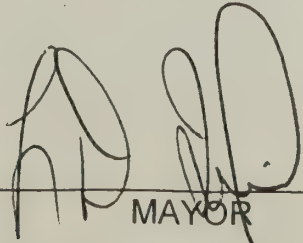
**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 11th day of February, 2004 in respect of each recommendation contained in,

Public Works, Infrastructure and Environment Committee, Report 04-004, February 2, 2004,
Planning and Economic Development Committee, Report 04-003, February 3, 2004,
Corporate Administration Committee, Report 04-003, January 28, 2004,
Corporate Administration Committee, Report 04-004, February 4, 2004,
Strategic Planning and Budgets, Report 04-002, February 4, 2004,
Social and Public Health Services Committee, Report 04-003, February 10, 2004,
Licensing Committee, Report 04-002, February 11, 2004,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.
2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 11th day of February, 2004



MAYOR



CITY CLERK

CA4 ON HBL A08
B91

Authority: Item 9, Committee of the Whole
Report 03-009 (PW03018)
CM: April 9, 2003

Bill No. 031

CITY OF HAMILTON

BY-LAW NO. 04-031

BEING A BY-LAW TO STOP UP, CLOSE AND SELL AN UNOPENED PORTION OF BEDFORD STREET (FORMERLY CHARLOTTE STREET), ESTABLISHED BY REGISTERED PLAN 944, IN THE CITY OF HAMILTON, DESIGNATED AS PARTS 26, 27, 32, 33 AND 36 ON PLAN 62R-12578, CITY OF HAMILTON

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of *the Municipal Act, 2001*, S.O. 2001, c.25 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on April 9, 2003, in adopting Item 9 of Committee of the Whole Report 03-009 authorized that steps be commenced pursuant to the *Registry Act*, R.S.O. 1990, Chap. R.20, as amended, for a Judge's Order to close that unassumed portion of Bedford Street (formerly Charlotte Street), established by Registered Plan 944, designated as Parts 26, 27, 32, 33 and 36 on Plan 62R-12578.

AND WHEREAS a Judge's Order was issued and registered on title on February 11, 2004 as Instrument No. WE215301 to close the unassumed portion of Bedford Street (formerly Charlotte Street) on Registered Plan 944, more particularly described as Parts 26, 27, 32, 33 and 36 on Plan 62R-12578.

AND WHEREAS Bedford Street is a highway under the jurisdiction of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, through its Hearing Sub-Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That part of the unopened road allowance of part of Bedford Street described as:

Part of Bedford Street (formerly Charlotte Street), as laid out by Registered Plan 944, in the City of Hamilton, designated as Parts 26, 27, 32 and 33 on Plan 62R-12578

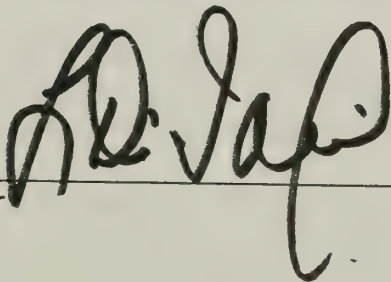
Part of 1 foot Reserve A as laid out by Registered Plan 944, in the City of Hamilton, designated as Part 36 on Plan 62R-12578

is hereby stopped up and closed.

2. That the soil and freehold in said parts of the unopened road, hereby stopped up and closed, be sold to Angela Cocca, being the surviving owner of the abutting property, together with other lands, for the sum of Fifty-Four Thousand Dollars (\$54,000.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED AND ENACTED on this 25th day of February, 2004.

Mayor



City Clerk



CA40N HBL A08
B91

Authority: Item 9, Committee of the Whole
Report 03-009 (PW03018)
CM: April 9, 2003

Bill No. 032

CITY OF HAMILTON

BY-LAW NO. 04-032

BEING A BY-LAW TO STOP UP, CLOSE AND SELL PART OF RYMAL ROAD, CITY OF HAMILTON, BEING PART OF LOT 12, CONCESSION 8, IN THE GEOGRAPHIC TOWNSHIP OF BARTON, DESIGNATED AS PARTS 24 AND 25 ON PLAN 62R-12578

WHEREAS the Council of the City of Hamilton is empowered under Sections 31, 34 and 41 of the *Municipal Act, 2001*, S.O. 2001, c.25 as amended, to establish and lay out, widen, alter, divert, stop-up, lease, close, sell or retain any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton on April 9, 2003, in adopting Item 9 of Committee of the Whole Report 03-009 authorized the City to stop up, close and sell of a portion of Rymal Road, being Parts 24 and 25 on Plan 62R-12578;

AND WHEREAS the road is a highway under the jurisdiction of the City of Hamilton;

AND WHEREAS notice of the City's intention to pass this By-law has been published for four consecutive weeks in the Hamilton Spectator, a newspaper having general circulation in the City of Hamilton;

AND WHEREAS the Council of the City of Hamilton, through its Hearing Sub-Committee has heard all persons who applied to be heard, no matter whether in objection to or in support of this By-law;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the portion of Rymal Road, set out as:

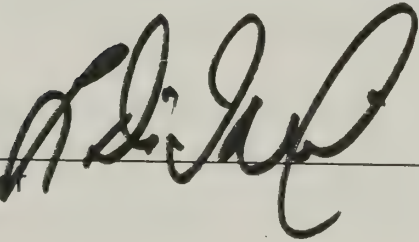
Part of Rymal Road (formerly the Kings Highway No. 53), being Part of Lot 12, Concession 8, in the geographic Township of Barton, designated as Parts 24 and 25 on Plan 62R-12578
City of Hamilton

is hereby stopped up and closed.

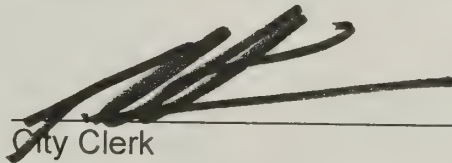
2. That the soil and freehold in said portion of Rymal Road, hereby stopped up and closed, be sold to Angelo Cocca and Angela Cocca, being the owners of the abutting property, together with other lands, for the sum of Fifty-Four Thousand Dollars (\$54,000.00).
3. That this by-law shall come into force and effect on the date of its registration in the Land Registry Office for the Land Titles Division of Wentworth (No. 62).

PASSED AND ENACTED on this 25th day of February, 2004.

Mayor



City Clerk



CA4 ON HBL A08
B91

Authority: CM: February 11, 2004

Bill No. 033

CITY OF HAMILTON

BY-LAW NO. 04-033

**TO APPOINT AND TO PRESCRIBE THE DUTIES AND RESPONSIBILITIES
OF THE ACTING CHIEF ADMINISTRATIVE OFFICER**

WHEREAS pursuant to section 72 of the Municipal Act, R.S.O. 1990, c. M.45, the Council for the City of Hamilton (the "Council") on March 19, 2002, enacted By-law No. 02-066 appointing a Chief Administrative Officer for the City of Hamilton (the "City"), and prescribing the duties and responsibilities of that office; and,

WHEREAS the Chief Administrative Officer appointed under By-law No. 02-066 has been removed from that office, effective February 11th, 2004, by resolution of Council passed on such date; and

WHEREAS, pursuant to section 229 of the Municipal Act, 2001, S.O. 1990, c. 25 the Council may by by-law appoint a Chief Administrative Officer for the City; and

WHEREAS the Chief Administrative Officer shall have such general control and management of the administration of the government and affairs of the City and shall perform such duties as Council by by-law prescribes; and

WHEREAS the Chief Administrative Officer shall be responsible for the efficient administration of all departments of the City to the extent that he is given control over them by Council; and

WHEREAS the duties and responsibilities prescribed in this By-law do not encroach upon the powers of Council or its Committees or the statutory duties of its officers; and

WHEREAS it is essential for the efficient administration of the City that the duties and responsibilities of the office of the Chief Administrative Officer continue to be exercised until such time as a Chief Administrative Officer is appointed on a permanent basis;

NOW THEREFORE, Council enacts as follows:

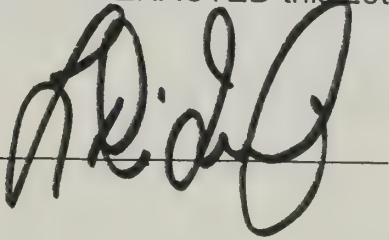
1. Glen Peace is hereby appointed as the Acting Chief Administrative Officer of the City of Hamilton (the "City").
2. The Acting Chief Administrative Officer shall be responsible to the Mayor and the Council for the general control and management of the administration of the government and affairs of the City, and shall perform such additional duties as Council may by by-law prescribe.
3. The Acting Chief Administrative Officer is the senior official of the City, provides organizational leadership to staff, and is responsible for the efficient and effective delivery of services.
4. The Acting Chief Administrative Officer is the head of the administrative and operational aspects of the government of the City and is responsible to Council for the proper administration of the affairs of the City, including organizational restructuring, in accordance with the by-laws adopted by the Council.
5. The Acting Chief Administrative Officer is responsible for providing effective advice and support to the Mayor and Council in developing and implementing the policies, plans and programs of Council.
6. The Acting Chief Administrative Officer shall supervise the management of the human, fiscal and physical resources of the City and report on the status of these semi-annually to Council.
7. The Acting Chief Administrative Officer may appoint, promote, demote, suspend and dismiss, subject to the provisions of any personnel policies adopted by Council or collective agreements applicable to employees of the City, all employees of the City, except the first level of senior management and statutory officials.
8. The Acting Chief Administrative Officer shall recommend to Council the appointment and dismissal of first level senior management and statutory officials of the City.
9. Without limiting the responsibilities set forth in sections 2 to 8 above, the Acting Chief Administrative Officer shall be generally responsible for such policies and programs of the City relating to the administration of the City and his duties shall include the following:

- (a) to supervise the management of the City, including the business and affairs of the City in accordance with the policies approved and determined by Council;
 - (b) to be responsible for the provision of all services required or deemed advisable for the City;
 - (c) to enquire continuously into the effectiveness and efficiency of the services provided by the City and to recommend to Council any changes or improvements which will enhance the quality of such services;
 - (d) to supervise the preparation of the City's budgets, and to be responsible for their implementation.
 - (e) to attend or be represented at all meetings of the Council and Committees of Council.
10. The Acting Chief Administrative Officer shall carry out such additional responsibilities as the Council, from time to time, may direct.
11. Nothing in this By-law, shall be deemed to empower the Acting Chief Administrative Officer to exercise, or to encroach upon, the powers of Council or its Committees or upon the statutory duties of officers of the City.
12. Nothing in this By-law shall be deemed to limit the authority of the Acting Chief Administrative Officer to exercise those statutory duties and powers set out in the Municipal Act, 2001, as amended from time to time.
13. The Acting Chief Administrative Officer may be referred to and may use the title of "Acting City Manager" in the course of carrying out the duties and responsibilities set forth in this By-law.
14. Where this By-law conflicts with any other by-law setting out the powers and duties of an official of the City of Hamilton, as established by the City of Hamilton Act, 1999, Statutes of Ontario, 1999, c. 14, Schedule C, or of an official of one of the old municipalities as defined in section 1 of the said Act, this By-law prevails to the extent of the conflict.
15. The Acting Chief Administrative Officer may designate a senior staff member to act as Acting Chief Administrative Officer from time to time as may be required.
16. By-law No. 02-066 is repealed.

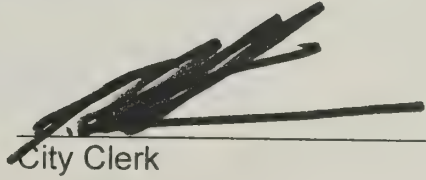
17. This By-law shall be deemed to have come into force on February 11th, 2004.

PASSED AND ENACTED this 25th day of February, 2004.

Mayor

A large, stylized handwritten signature in black ink, written over a horizontal line.

City Clerk

A handwritten signature in black ink, written over a horizontal line. The signature is more compact and less stylized than the Mayor's.

CA4 ON HBL A08
B91

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: February 6, 2001

Bill No. 034

CITY OF HAMILTON

BY-LAW NO. 04-034

**To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Westbourne Both Sanders to Main 1 hr 8 am – 6 pm Mon - Fri"

and by adding to Section "E" thereof the following item, namely:

"Westbourne West Sanders to Main 1 hr 8 am – 6 pm Mon - Fri"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Dow West from 44.5m north of Paul to 27.7m northerly 8:00 a.m. to 5:00 p.m." Monday to Friday

3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Fairfield West commencing at a point 243 feet south of Anytime"
of Vansitmart and extending to a point 21
feet southerly therefrom

and by adding to Section "E" thereof the following item, namely:

"Strathearne West from 116m north of Britannia to 6m northerly Anytime"

4. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Concession North Upper Wentworth to 17.3m easterly Anytime"

5. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Concession North from 29.3m east of Upper Wentworth (north Anytime"
leg) to 14m easterly

and by adding to Section "E" thereof the following item, namely:

"Concession North from 17.3m east of Upper Wentworth to Anytime"
14m easterly

6. Schedule 16 (Taxi Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Vickers South from 14m east of East 16th to 7:00 a.m. to 6:00 p.m."
21.3m easterly Monday to Friday

7. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

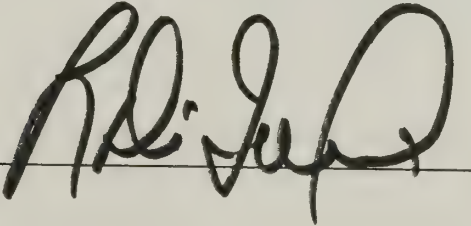
"High East from 65 feet north of Sherwood 11:00 a.m. to 2:00 p.m."
Rise to 52 feet northerly Monday to Friday

Vickers South from 35.3m east of East 16th to 7:00 a.m. to 6:00 p.m."
 11m easterly Monday to Friday

8. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.
9. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 25th day of February, 2004.

MAYOR



CLERK



CA# ON HBL A08
B91

Authority:

Item 10, Planning and Economic
Development Committee
Report: 04-004 (PD03232(a))
CM: February 25, 2004

Bill No. 035

CITY OF HAMILTON

BY-LAW NO. 04-035

To Adopt:

Official Plan Amendment No. 98 to the former Town of Ancaster Official Plan;

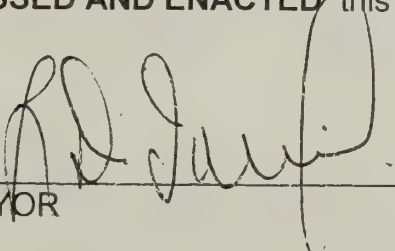
Respecting:

Meadowlands Neighbourhood IV Secondary Plan

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Amendment No. 98 to the Official Plan of the former Town of Ancaster Planning Area consisting of Schedule "1", hereto annexed and forming part of this by-law, is hereby adopted.

PASSED AND ENACTED this 25th day of February, 2004.


MAYOR


CLERK

Schedule “1”

Amendment No. 98
to the
Official Plan of the former Town of Ancaster

The following text and maps constitute Official Plan Amendment No. 98 to the Official Plan of the former Town of Ancaster.

Purpose:

The purpose of the Amendment is to establish a policy framework to guide the development and/or redevelopment of the land within the Meadowlands Neighbourhood IV neighbourhood.

The effect of this Amendment is to establish land uses, the basic transportation network, community facilities, infrastructure requirements, and development standards and to provide protection for the existing natural features and environmental resources on the subject lands.

Location:

The Meadowlands Neighbourhood IV is approximately 204 hectares in area and is generally bounded by Stonehenge Drive to the north, Redeemer University College to the west, Tiffany Creek Headwaters Environmentally Significant Area to the east and Garner Road to the south.

Basis:

In February 2000, Council for the former town of Ancaster adopted the Background report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan. One of the recommendations of the Master Plan was that Secondary Planning be completed for neighbourhood 4.

Secondary Planning is a comprehensive approach for planning neighbourhoods especially in “greenfield” areas. The Secondary Plan establishes the policy framework for which the future development and/or redevelopment can occur in the neighbourhood.

Actual Changes:

1. Amend Schedule “B”, Land Use – Urban Area, by changing the designation of portions of the subject lands from Institutional to Residential, Residential to Institutional, Open Space and Conservation to Residential and Commercial to Residential, as shown on the attached Schedule “A” to this Amendment.
2. Amend Schedule “E”, Road Network – Major Roads, by removing 2 Arterial Roads located within the subject lands and replacing them with 2 Collector Roads, as shown on the attached Schedule “B” to this Amendment.
3. Amend Schedule “F”, Special Policy Areas, by deleting Special policy areas 3-d and 3-f, as shown on the attached schedule “C” to this Amendment.
4. Delete Policies 5.6.10 and 5.6.11 of Subsection 5.6, Mohawk and Meadowlands Communities and re-number Subsection 5.6 accordingly.
5. Amend Section Six – Secondary Plans, by adding a new Subsection 6.8, Meadowlands Neighbourhood IV as follows:

“6.8 Meadowlands Neighbourhood IV Secondary Plan

6.8.1 Introduction

The following text and Maps 1 and 2 constitute the Meadowlands Neighbourhood IV Secondary Plan.

6.8.2 Purpose

The purpose of this Secondary Plan is to establish land uses, the basic transportation network, community facilities, infrastructure requirements and development standards to guide the development and/or redevelopment of lands located in the Meadowlands Neighbourhood IV. At the same time, the Secondary Plan provides protection to the Neighbourhood’s natural areas and environmental resources.

6.8.3 Location

The Meadowlands Neighbourhood IV is approximately 204 hectares in area and is generally bounded by Stonehenge Drive to the north, Redeemer College to the west, Tiffany Creek Headwaters Environmentally Significant Area to the east and Garner Road to the south.

6.8.4 Basis

The Meadowlands Neighbourhood IV Secondary Plan is intended to be consistent with the goals and objectives and land use designations set out in the Official Plan for Ancaster. In the event of a conflict between the Secondary Plan and other policies in the Official Plan, the policies and designations in the Secondary Plan as they relate to the Meadowlands Neighbourhood IV shall prevail.

6.8.5 Planned and Future Population

Meadowlands Neighbourhood IV shall have a planned future population of approximately 8075 persons and contain approximately 3250 dwelling units. Minor adjustments to the population and dwelling unit counts will not require an amendment to this Secondary Plan.

6.8.6 Residential Policies

- (a) Development within the Meadowlands Neighbourhood IV is intended to provide a mix and diversity of housing opportunities in terms of lot size, unit size, style and tenure that are suitable for different age levels, income groups, lifestyles, and household structures.
- (b) In an effort to make best use of lands currently located within the City's urban area higher densities will be encouraged throughout this neighbourhood. This can be achieved through the provision of smaller lots in interior locations and higher density developments located at external locations within the neighbourhood.
- (c) The Residential densities within the respective Residential land use designations identified on Map 1 – Land Use, shall be as follows:
 - (i) Low Density: Approximately 1 to 30 units per Net Residential Hectare. This designation permits predominantly single family detached dwellings, duplex and semi-detached dwellings. These types of uses are to be generally located at the interior of residential neighbourhoods adjacent to local and/or collector roads.
 - (ii) Medium Density: A maximum of 50 units per Net Residential Hectare. This designation permits predominantly town house dwellings and innovative attached housing forms. Generally, these types of dwellings are located at the periphery of Residential Neighbourhoods adjacent to or close to arterial and/or collector roads.
 - (iii) High Density: A maximum of 70 units per Net Residential Hectare. This designation permits predominantly apartment dwellings and innovative attached housing forms in buildings not exceeding a height of 3 storeys. These types of dwellings generally are to be

located adjacent to or in close proximity to arterial and/or collector roads, community facilities and open space areas.

- (d) For the purposes of this Secondary Plan, Net Residential Density refers to the number of dwelling units per Net Residential Hectare of any particular development or re-development. In the case of single family, duplex and semi-detached dwellings, Net Residential Hectare includes only the land for residential lots and excludes lands for public roads, public parks and hazard lands. In the case of any other housing form other than single family, duplex or semi-detached dwellings, Net Residential Density includes the lands for dwellings, private internal roads, parking areas, open space and other associated amenities directly related to and forming part of the development and/or re-development.
- (e) Sites designated for Medium Density Residential or High Density Residential uses may be considered for lower densities or for any other use permitted under the Residential designation without further amendment to this plan provided that:
 - (i) The proposed use would comply with the other relevant policies of this Plan;
 - (ii) The proposed use is compatible with the existing and proposed surrounding development;
 - (iii) The proposed development would not create a detrimental effect upon the existing development within the area, especially in terms of traffic; and,
 - (iv) The implementing zoning by-law is amended to permit the proposed use.
- (f) The approximate housing mix shall be as follows:

Low Density	70 %
Medium Density	25 %
High Density	5 %

6.8.7 Design Policies

This Secondary Plan incorporates a number of design considerations in order to take advantage of the unique physical setting of the area and to create a visually and aesthetically distinct neighbourhood. Principles embodied in the design of this area and which should be addressed during the processing of a development application shall include:

- (a) A local road pattern consisting of a generalized grid style local road pattern, which promotes pedestrian movements, friendlier streetscapes and neighbourhood connectivity.

- (b) Traffic calming features such as reduced road way widths, curbing incorporating on street parking, formal boulevard landscaping and special intersection treatments and roundabouts.
- (c) Where appropriate, alternative development standards (i.e. 18 metre wide road allowances for local roads) will be implemented in an effort to maximise the use of urban land and municipal services in accordance with Provincial Policy Statement on Housing.
- (d) Streetscape features such as decorative streetlamps, landscaped traffic circle islands, reduced front yards, front and side yard porches, recessed or detached garages.
- (e) Existing trees, significant vegetation and distinctive site views should be protected and preserved through sensitive subdivision design.
- (f) Building and site design, setbacks, landscaping, screening and buffering techniques shall be applied to minimise potential conflicts between new and existing uses.
- (g) Entrance features and landscaped boulevards are to be provided at the entrance of the neighbourhood adjacent to the Collector Roads "A" and "B" and Garner Road as shown on Map 1 – Land Use. Landscaped plans prepared by a qualified landscaped architect will be required to be submitted for the entrance features and boulevards as part of an application for the approval of a draft plan of subdivision.
- (h) Lands designated Medium Density Residential and located adjacent to Garner Road or on a Collector Road as defined on Map 1 - Land Use will be required to be developed with a "window road" for direct access to Garner Road or the Collector Road. A minimum 3.0 metre-landscaped strip will be required to be located between the "window road" and the public street. A landscape plan prepared by a qualified Landscape Architect will be required to be submitted as part of a site specific development application to address such issues as planting materials, fencing and berming of the landscaped strip.
- (i) The Background Report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan (EMP) prepared for this neighbourhood identifies that traffic calming devices will be located in 3 locations on the Primary Collector Roads of the Preferred Road Network. Map 1 – Land Use, identifies 3 "Feature Intersections" along the Collector Roads, which reflect the EMP. The treatment of the feature intersections should be designed to accommodate transit routing as well as reduce traffic speeds and discourage through traffic or short cutting traffic movements. Feature intersections can include the mini traffic circles similar to those found in other neighbourhoods within the Meadowlands. They can also include lane narrowing, centre medians or patterned pavement/concrete treatments or interlock stones. The intent of the Feature Intersections is to provide focal points within the neighbourhood

while calming the traffic in an effort to create a pedestrian friendly neighbourhood. The design and final treatment of the Feature Intersection shall be determined at the draft plan of subdivision stage.

- (j) As a condition of draft plan approval, a traffic calming report will be required to be submitted by a qualified traffic engineer, to address traffic calming measures on the collector roads within this neighbourhood.
- (k) The Background Report: Meadowlands Neighbourhoods 3, 4 and 5, Class Environmental Assessment Master Plan (EMP) prepared for this neighbourhood identifies the location of storm water management ponds within this neighbourhood. Should the location of these ponds change as the result of a conceptual storm water management report prepared by a qualified engineer, then the lands designated as storm water management ponds on Map 1 – Land Use may be developed in accordance with the provisions of this Plan without further amendment to it. If additional area for storm water management is required as a result of a conceptual storm water management report and the results of the monitoring plan for Meadowlands Phase 7, then the additional lands can be used for this purpose without further amendment to this plan.

As part of a development application, the stormwater management pond located on Garner Road, east of Springbrook Avenue, shall be considered for relocation westerly towards the hydro corridor subject to the submission of a preliminary storm water management report prepared by a qualified engineer to the satisfaction of the City and the Hamilton Conservation Authority. Should the location of this pond change then the lands designated as storm water management pond on Map 1 – Land Use may be developed in accordance with the provisions of this Plan without further amendment to it.

6.8.8 Secondary Plan Funding and Cost Recovery

The Planning and Development Department established a budget of \$45,000 to fund the preparation of this Secondary Plan. This budget was front ended by Meadowlands of Ancaster and Paletta International. All developments within the Meadowlands Neighbourhood IV Secondary Plan area will be required to contribute their fair share towards the allotted budget based on a per hectare basis of developable lands within their holding. Meadowlands of Ancaster and Paletta International will be reimbursed for the front ending of the study budget for developable lands outside of their holdings. Collection of the financial contribution to the secondary plan study will be done at the development stage and implemented as a condition of any development application.

6.8.9 Stormwater Management Facilities - Cost Recovery Agreement

The Meadowlands of Ancaster (752401 Ontario Inc.) and Paletta International Corp. funded the preparation of a Cost Recovery Agreement to address the development of stormwater facilities throughout the Meadowlands

Neighbourhood IV. All landowners developing their lands and who benefit from stormwater management facilities will be required to contribute financially their fair share towards the preparation of the Agreement.

The landowner's financial contribution will be prorated based upon the gross area of benefiting land included in their application for development. The financial contribution will be required as condition of development (i.e. draft plan of subdivision, site plan) and payable on behalf of the Meadowlands of Ancaster and Paletta International Corp. at such time as the Development Agreements or alike are executed.

6.8.10 Institutional Uses

A public elementary school and accessory uses and facilities normally incidental to schools shall be permitted in accordance with Section 4.7, "Institutional" of the Official Plan for Ancaster on those lands designated Institutional on Map 1 - Land Use to this Secondary Plan. A Neighbourhood Park, 2 hectares in size, is designated and to be located adjacent to the public elementary school site. The configuration of the school/park site will be completed at the draft plan of subdivision stage and/or the site plan approval stage.

A Public High School and Roman Catholic Elementary School is not proposed for Meadowlands Neighbourhood IV. Therefore this neighbourhood shall be served by facilities outside of the neighbourhood.

6.8.11 Open Space and Conservation Policies

- (a) The open space system for Meadowlands Neighbourhood IV includes the following components shown on Map 1 – Land Use:
 - i) Parkland;
 - ii) Pedestrianwalkways/bikeways;
 - iii) The Tiffany Creek Environmentally Significant Area (ESA), the Tiffany Creek Provincially Significant Wetlands (PSW) complex and associated buffers; and
 - iv Stormwater management facilities.
- (b) New multi-purpose trails shall be established in the linked open space system where deemed appropriate by the City. Every effort shall be made to connect the new trails to existing and planned trails in the Tiffany Creek Environmentally Significant Area (ESA) and the Tiffany Creek Provincially Significant Wetlands (PSW) complex. The trails shall be established through the approval of plans of subdivision and development agreements.

- (c) Parkland shall be provided to enhance the linked open space system at two locations:
 - (1) Adjacent to the Public Elementary School site; and
 - (2) On the west side of the Hydro corridor, south of Stonehenge Drive.

6.8.12 Special Policy Areas

Map 2 – Special Policy Areas, to this Secondary Plan identifies five Special Policy Areas that shall be subject to the following site-specific provisions:

- **Special Policy Area “A”**

The lands known as 1021 Garner Road contain a single detached dwelling, which is listed on the City’s inventory as potentially being of historical/architectural significance. These lands are designated Medium Density Residential on Map “1” – Land Use. In an effort to preserve and maintain the historic/architectural significance of this dwelling, any future development scenario for these lands shall incorporate this dwelling.

- **Special Policy Area “B”**

The lands known as 927 Garner Road East contain an existing agricultural livestock operation (pig farm). This agricultural operation can continue to operate with the adoption of this Secondary Plan and as development occurs on adjacent lands. The keeping of livestock has the potential to create nuisance impacts on residential development in proximity to the structures used for the keeping of livestock as a result animal odours, noise and possibly traffic. During the draft plan of subdivision and/or condominium stage or severance, the owner developing lands within 120 metres of Special Policy Area “B” shall be required to advise future property owners through an appropriate agreement, that there may be odours, noise or other nuisance impacts associated with the keeping of livestock on these lands.

- **Special Policy Area “C”**

The lands located north of Garner Road East, on the east side of Collector Road “A”, and designated Medium Density Residential on Map 1 – Land Use, may be developed for street townhouse dwellings provided that an on street parking plan, prepared by a qualified professional engineer, is provided as part of a development application. A minimum of 0.5 parking spaces per dwelling unit shall be provided for on street visitor parking associated with street townhouses.

- Special Policy Area “D”

The lands located on the west side of Springbrook Road, more specifically, shown on Map 2 – Special Policy Areas, as Special Policy Area “D”, may permit the expansion of the institutional use located to the west (Redeemer University College) onto lands or portions of lands designated Low Density Residential, Medium Density Residential and Storm Water Management Pond, on Map 1 – Land Use, without further amendment to this Plan, provided that it can be demonstrated to Council that the expansion will not hinder or preclude development of adjacent lands for residential purposes and storm water management is provided on a comprehensive basis.

- Special Policy Area “E”

The lands located on the north side of Garner Road, more specifically, shown on Map 2 – Special Policy Areas, as Special Policy Area “E”, may be developed in accordance with Policy 6.8.6 c (i) once the following conditions have been satisfied:

1. That the landowners obtain the approval from the City of Hamilton and the Hamilton Conservation Authority in consultation with the Environmentally Significant Area Impacts Evaluation Group (ESAIEG) of an Environmental Impact Statement which justifies why Special Policy Area “E” should no longer be designated as an Environmentally Significant Area and Provincially Significant Wetland and;
2. That the landowners submit a stormwater management report, prepared by a qualified engineer, to the satisfaction of the City of Hamilton and Hamilton Conservation Authority which addresses how the stormwater facilities located in the Meadowlands Neighbourhood IV will accommodate the proposed future residential development of Special Policy Area “E”;
3. Should conditions 1 and 2 be satisfied, then as a condition of implementing the draft plan of subdivision and rezoning applications on these lands, the Special Policy Area “E” designation shall be changed by way of a City initiated amendment to reflect the intended development scenario.

6.8.13 Environmental Policies

- (a) Development proposals on lands adjacent to the Tiffany Creek Provincially Significant Wetlands (PSW) complex and the Tiffany Creek Environmentally Significant Area (ESA) shall address the relevant

requirements of the Provincial Policy Statement (PPS) and the Hamilton-Wentworth Official Plan.

- (b) All development proposals for lands located adjacent to the Tiffany Creek Environmentally Significant Area (ESA) and the Tiffany Creek Provincially Significant Wetlands (PSW) will be subject to review by the Hamilton Conservation Authority and the Environmental Significant Areas Impact Evaluation Group (ESAIEG). Appropriate buffers and development setbacks from the ESA and PSW will be established by ESAIEG and the Hamilton Conservation Authority.

6.8.14 Heritage Policies

1.1 Archaeological Resources Policies

- a) The City of Hamilton recognises that previous archaeological surveys in the Meadowlands Neighbourhood IV have identified twelve archaeological sites requiring further investigation. In considering any required approvals for the alteration or development of the lands containing any known site under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall assess or require to be assessed proposed impacts upon that known site.
- b) The City of Hamilton recognises that there is demonstrated potential for the presence of additional significant sites within the Meadowlands Neighbourhood IV that remain unidentified. In order to protect those potential archaeological resources, where development projects are proposed that require approval under the Planning Act, the Environmental Assessment Act, the Ontario Heritage Act, the Municipal Act or other legislation, the City of Hamilton shall require archaeological assessments to be undertaken by the proponents in accordance with the Ministry of Culture's Archaeological Assessment Technical Guidelines as updated.
- c) Where archaeological features are identified, the proponent shall with the advice of a licensed archaeologist develop a plan to protect, salvage or otherwise conserve the features within the context of the proposed development.
- d) The City of Hamilton recognises that there may remain within the Meadowlands Neighbourhood IV unmarked burials of First Nations and Euro-Canadian origin. The unique attributes of those sites shall require the involvement and advice of a licensed archaeologist and the Cemeteries Branch of the Ministry of Consumer and Commercial Relations.
- e) The City of Hamilton recognises that there may remain within the Meadowlands Neighbourhood IV First Nations' cemeteries. Where such cemeteries are found, the City of Hamilton shall work in conjunction with the appropriate First Nation, Provincial Ministry and the landowner to ensure that the cemetery or burial site is suitably protected.

- f) Where practical, the City of Hamilton shall seek to ensure that archaeological sites are left undisturbed. Where there are unavoidable impacts, mitigation through excavation shall be required as a condition of approval. The City of Hamilton shall consult with the Ministry of Culture regarding those that matters.
- g) Where an archaeological assessment is required, the proponent shall arrange and finance the archaeological assessment in accordance with the Ministry of Culture's requirements. A licensed archaeologist shall carry out the study. No pre-approved site grading or topsoil disturbance shall be allowed before the assessment has been completed.

1.2 Built Heritage Resources Policies

- a) In development proposals the City of Hamilton shall favour the retention, continued use or adaptive re-use of built heritage features where appropriate.
- b) Where appropriate, the City of Hamilton pursuant to the Ontario Heritage Act may pass by-laws regarding the acquisition by purchase or lease of designated property or enter into agreements or covenants with owners of buildings of historic or architectural value or interest for the purposes of conservation.
- c) In assessing proposals for the construction, demolition or removal of buildings and structures or the alteration of existing buildings within the Meadowlands Neighbourhood IV, the City of Hamilton shall be guided by the following general principles:
 - i) heritage buildings including their surroundings should be protected from adverse effects of development;
 - ii) where practical, original building fabric and architectural features should be retained and repaired;
 - iii) new additions to heritage buildings should generally be no higher than the existing building and wherever possible be placed to the rear of the building or setback substantially from the principal facade; and
 - iv) new construction and/or infilling in the vicinity of heritage buildings should be compatible with those uses.
- d) A heritage impact statement may be required by the City of Hamilton where the development of lands is considered by LACAC to adversely affect a heritage building or structure or potential heritage building or structure in the Meadowlands Neighbourhood IV.
- e) The heritage impact statement shall be undertaken by the proponent and contain the following:
 - (i) a description of the proposed development;

- (ii) a description of the heritage feature to be affected by the development;
 - (iii) a description of the effects upon the heritage feature by the proposed development;
 - (iv) a description of the measure necessary to mitigate the adverse effects of the development upon the heritage feature.
- f) Where appropriate, the City of Hamilton shall impose as a condition of any development approval the retention and conservation of the affected heritage feature or the implementation of appropriate mitigation measures.

6.8.15 Transportation Policies

- (a) Map No. 1- Land Use identifies the Primary Collector Roads for the Meadowlands Neighbourhood IV. Collector Road "A" runs from the extension of Stonehenge Drive southerly to Garner Road. Collector Road "B" generally runs parallel to the Hydro corridor and meets Collector Road "A" south of Stonehenge Drive. The designated road allowance width of the collector roads shall be 26.0 metres. These two primary collector roads will serve to move traffic within and across the Meadowlands Neighbourhood IV.
- (b) The location of Local Roads on Map 1- Land Use, are approximate, and minor adjustments shall not require an amendment to this Plan.
- (d) Sidewalk requirements shall be determined at the draft plan of subdivision and/or condominium approval process.
- (e) Public transit shall be accommodated on the boundary roads and the primary collector roads. Additional pedestrian walkways may be established to minimise walking distances to existing and potential transit routes. The location and design of pedestrian walkways shall be determined through the draft plan of subdivision approval process.
- (f) The locations of "Feature Intersections" are shown on Map 1 - Land Use. The design of these intersections shall be determined at the draft plan of subdivision and/or condominium approval stage and in consultation with the City's Urban Design Section and Traffic Section.
- (g) Map 1 - Land Use identifies bicycle routes on the collector and local roads. The exact location and design of on-road bicycle routes shall be determined in the draft plan of subdivision approval processes.

6.8.16 Infrastructure Services

- (a) Meadowlands Neighbourhood IV shall be developed on the basis of full municipal services in accordance with the Municipal Servicing Plan in the document entitled Background Report: Meadowlands Neighbourhoods 3,

4 and 5, Class Environmental Assessment Master Plan.

- (b) Where a private well(s) and/or private on-site septic system(s) is abandoned in favour of connection to municipal services, the property owner shall properly plug the well and decommission the septic tank in accordance with pertinent legislation and/or guidelines so as to reduce or eliminate potential safety hazards.
- (c) All development shall comply with the approved document entitled Master Drainage Plan – Town of Ancaster, November 1987, Philips Planning and Engineering Limited prepared for the former town of Ancaster. Applicants for development proposals may be required by the City to prepare a site-specific Stormwater Management Plan for their lands. The site-specific Stormwater Management Plan shall comply with and incorporate the requirements of the Master Drainage Plan to the satisfaction of the City and the Hamilton Conservation Authority.

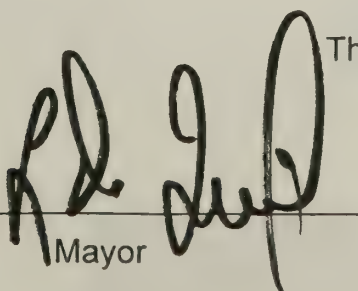
6.8.17 Interpretation Policies

- (a) The boundaries between the land use designations shown on Map 1-Land Use are approximate, except where they coincide with major roads, the wetland or any other clearly defined physical feature. Minor adjustments shall not require an amendment to this Secondary Plan, as long as the intent of its policies is maintained.
- (b) This Secondary Plan is intended to be consistent with the Town of Ancaster Official Plan. In the event of a conflict between the Official Plan and this Secondary Plan, the designations and policies of this Secondary Plan shall prevail."

Implementation:

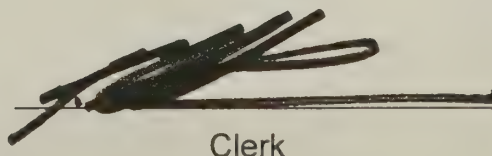
The provisions of Section 7 - Implementation, of the Official Plan for the former Town of Ancaster, will give effect to this amendment. A zoning by-law amendment will give effect to the intended uses on the subject lands.

This is Schedule "1" to By-law No.04-035 passed on the 25th day of February, 2004.



Mayor

The City of Hamilton



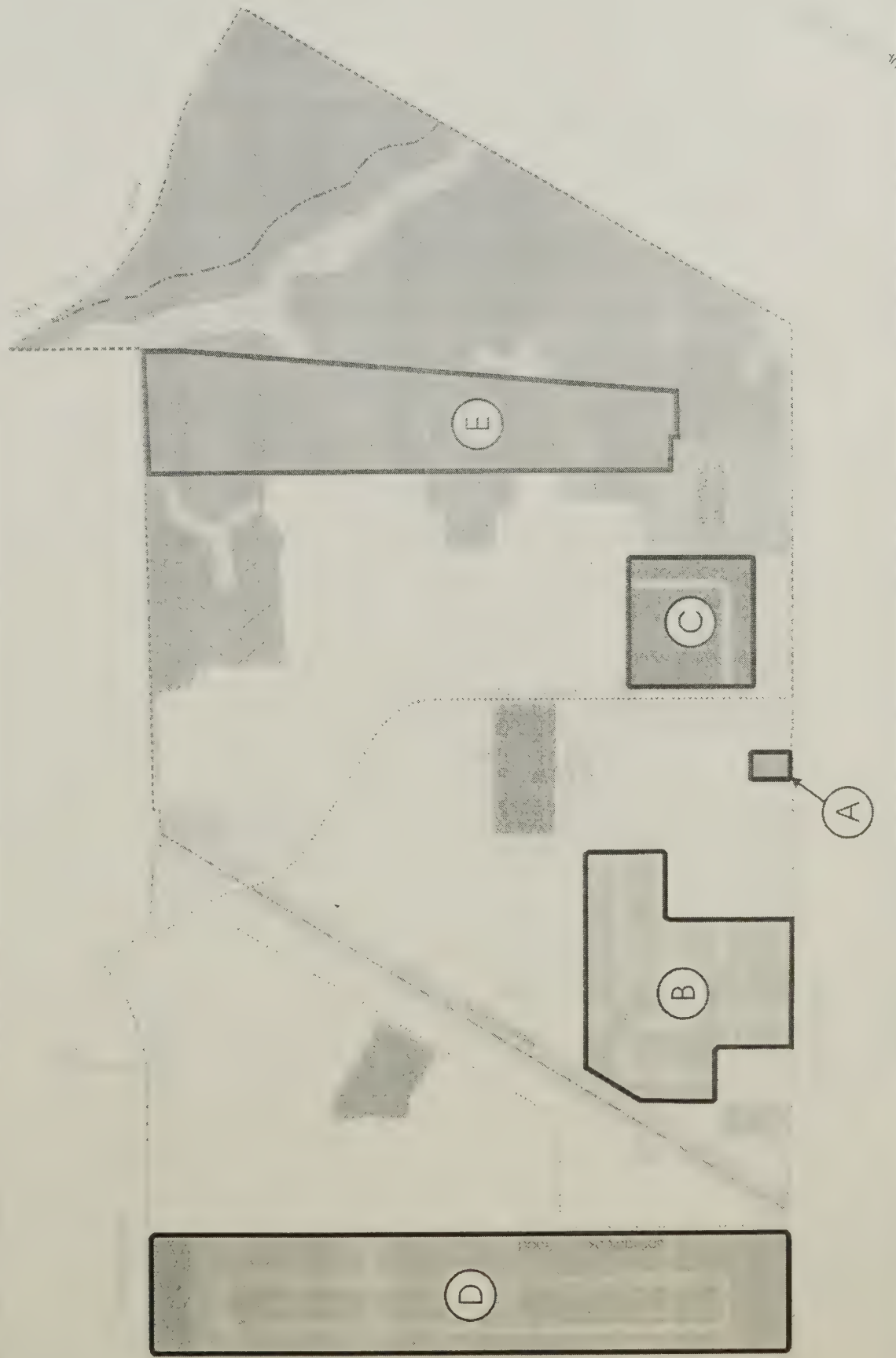
Clerk



Hamilton

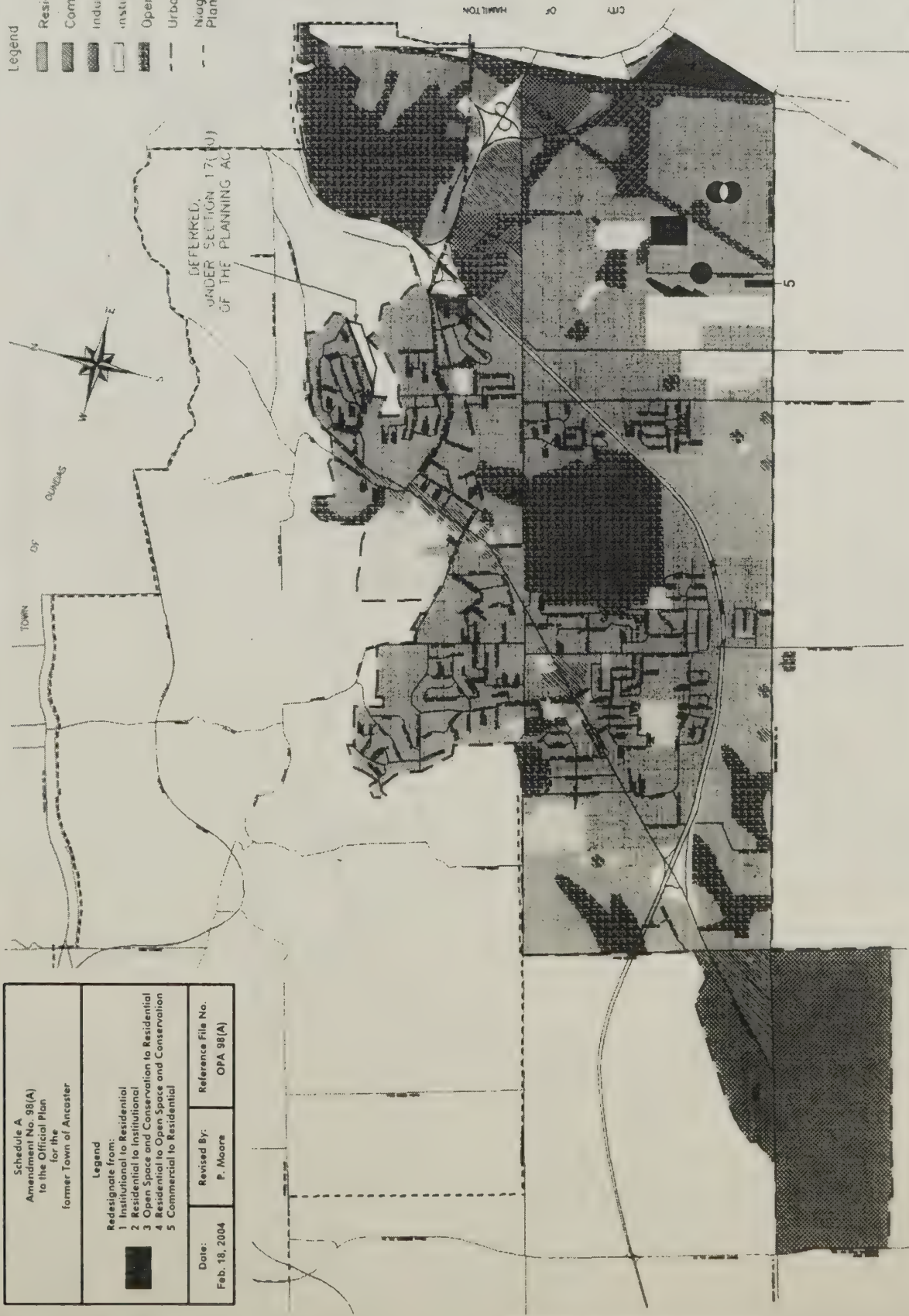
LEGEND

- (A) 1021 Garner Road
- (B) 927 Garner Road
- (C) North of Garner Road
- (D) West of Springbrook Rd.
- (E) Tiffany Creek Headwaters Lands



Schedule A Amendment No. 98(A) to the Official Plan for the former Town of Ancaster		
Legend Redesignate from: 1 Institutional to Residential 2 Residential to Institutional 3 Open Space and Conservation to Residential 4 Residential to Open Space and Conservation 5 Commercial to Residential		
Date: Feb. 18, 2004	Revised By: P. Moore	Reference File No. OPA 98(A)

- Legend
- Residential
 - Commercial
 - Industrial
 - Institutional
 - Open Space and Conservation
 - Urban Area Boundary
 - Niagara Escarpment Plan Boundary



LAND USE - URBAN AREA

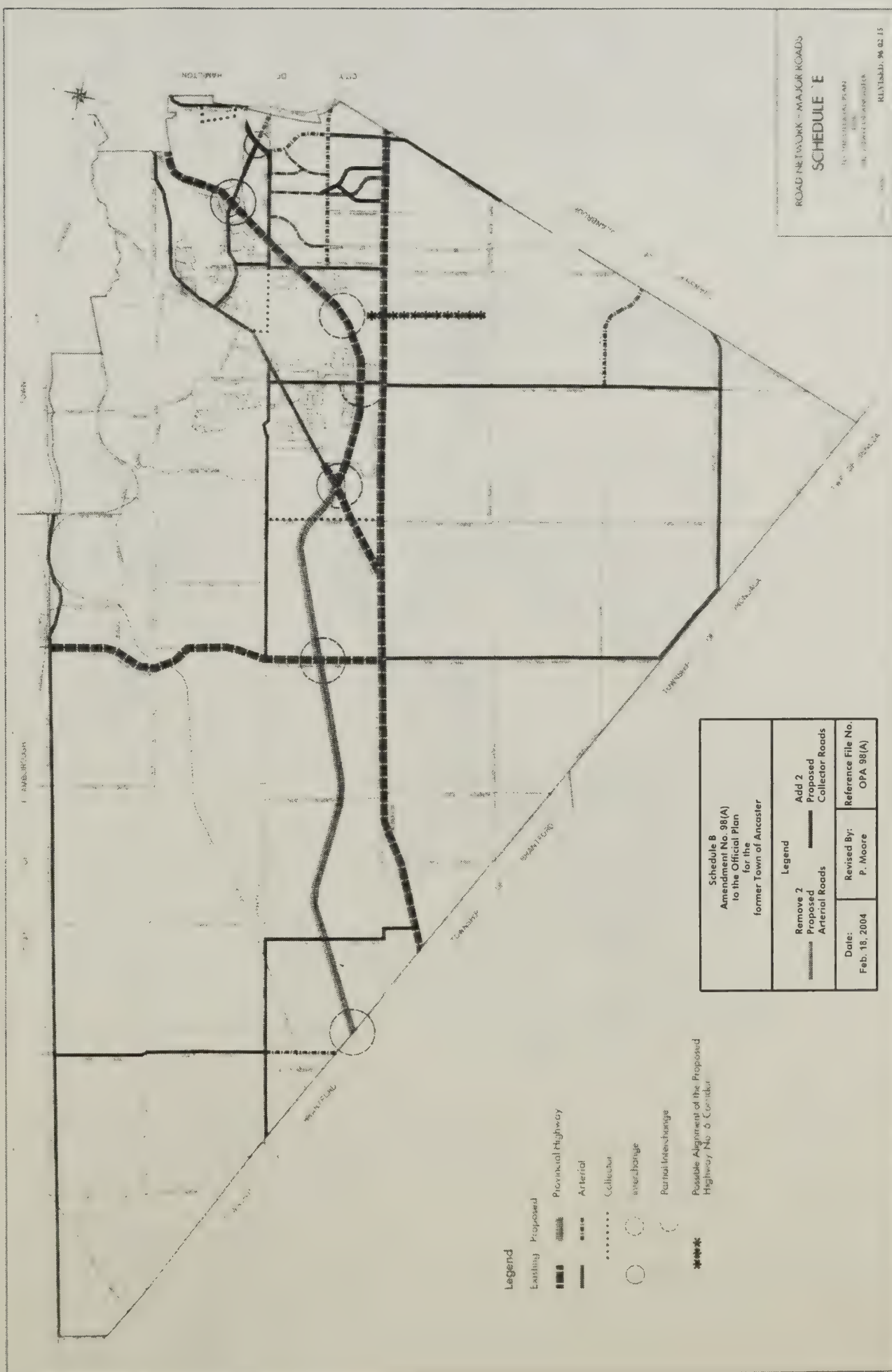
SCHEDULE 'B'

TO THE OFFICIAL PLAN
FOR THE
TOWN OF ANCASTER

DATE: 07-14-03

SCALE: 1:2000

PLAN



Legend

- Existing Proposed
- Provincial Highway
- Arterial
- Collector
- Interchange
- Partial Interchange
- Possible Alignment of the Proposed Highway No. 6 Corridor

Schedule B Amendment No. 98(A) to the Official Plan for the former Town of Ancaster			
Remove 2 Proposed Arterial Roads		Add 2 Proposed Collector Roads	
Date:	Revised By:	Reference File No.	
Feb. 18, 2004	P. Moore	OPA 98(A)	

Legend

Remove 2 Proposed Arterial Roads	Add 2 Proposed Collector Roads	
Date: Feb. 18, 2004	Revised By: P. Moore	Reference File No. OPA 98(A)

ROAD NETWORK - MAJOR ROADS
 SCHEDULE 'E'
 THE OFFICIAL PLAN
 OF THE TOWN OF ANCASTER
 REVISED: 98.02.15

Schedule C Amendment No. 98(A) to the Official Plan for the former Town of Arcaster	
Delete Reference to Official Policy Area 3.d & 3.f	Delete Special Policy Area 3.d & 3.f from Legend
Date: Feb. 18, 2004	Revised By: P. Moore
Reference File No. OPA 98(A)	

Legend
Specific Policy Areas

- Area 1 - refer to subsection 3.4
- Area 2 - refer to subsection 3.5
- Area 3 - refer to subsection 3.6

- 3-1 refer to Policy 5.8.10
- 3-2 refer to Policy 5.8.11
- 3-3 refer to Policy 5.8.12

- Area 4 - refer to Policy 5.7.1
- Area 5 - refer to Policy 5.7.2
- Area 6 - refer to Policy 5.7.3
- Area 7 - refer to Policy 5.7.4
- Area 8 - refer to Policy 5.7.5
- Area 9 - refer to Policy 5.7.6
- Area 10 - refer to Policy 5.7.7
- Area 11 - refer to Policy 5.7.8
- Area 12 - refer to Policy 5.7.9
- Area 13 - refer to Policy 5.7.10
- Area 14 - refer to Policy 5.7.11
- Area 15 - refer to Policy 5.7.12
- Area 16 - refer to Policy 5.7.13
- Area 17 - refer to Policy 5.7.14
- Area 18 - refer to Policy 5.7.15
- Area 19 - refer to Policy 5.7.16
- Area 20 - refer to Policy 5.7.17
- Area 21 - refer to Policy 5.7.18
- Area 22 - refer to Policy 5.7.19
- Area 23 - refer to Policy 5.7.20
- Area 24 - refer to Policy 5.7.21
- Area 25 - refer to Policy 5.7.22
- Area 26 - refer to Policy 5.7.23
- Area 27 - refer to Policy 5.7.24
- Area 28 - refer to Policy 5.7.25
- Area 29 - refer to Policy 5.7.26
- Area 30 - refer to Policy 5.7.27
- Area 31 - refer to Policy 5.7.28
- Area 32 - refer to Policy 5.7.29
- Area 33 - refer to Policy 5.7.30
- Area 34 - refer to Policy 5.7.31
- Area 35 - refer to Policy 5.7.32
- Area 36 - refer to Policy 5.7.33
- Area 37 - refer to Policy 5.7.34
- Area 38 - refer to Policy 5.7.35
- Area 39 - refer to Policy 5.7.36
- Area 40 - refer to Policy 5.7.37
- Area 41 - refer to Policy 5.7.38
- Area 42 - refer to Policy 5.7.39
- Area 43 - refer to Policy 5.7.40
- Area 44 - refer to Policy 5.7.41
- Area 45 - refer to Policy 5.7.42
- Area 46 - refer to Policy 5.7.43
- Area 47 - refer to Policy 5.7.44
- Area 48 - refer to Policy 5.7.45
- Area 49 - refer to Policy 5.7.46
- Area 50 - refer to Policy 5.7.47
- Area 51 - refer to Policy 5.7.48
- Area 52 - refer to Policy 5.7.49

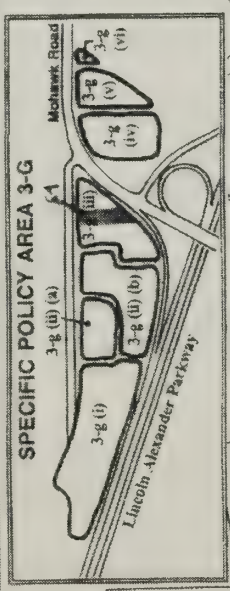
Policy Area Boundaries
Neighbourhood Area Boundaries

SPECIFIC POLICY AREAS

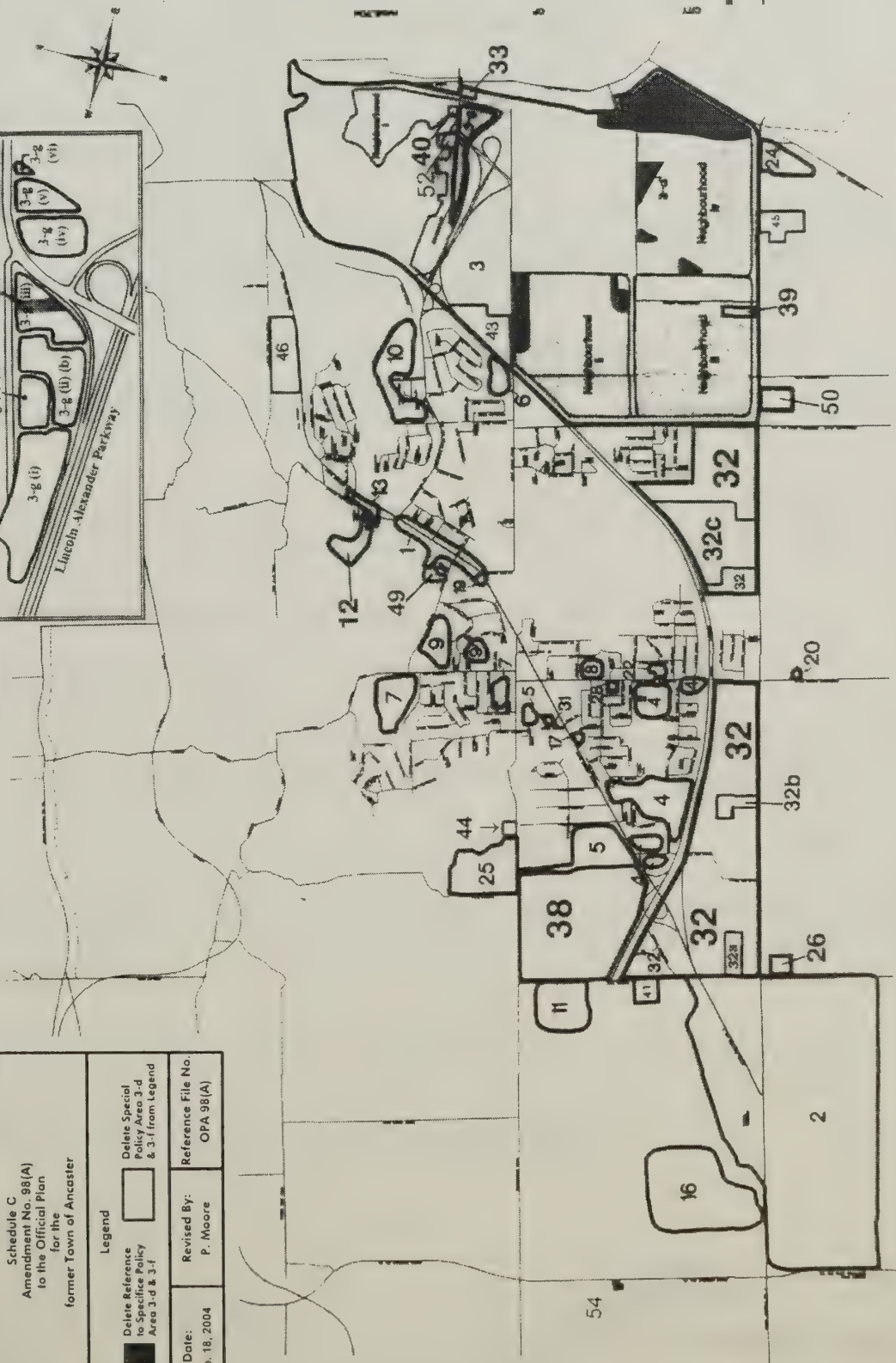
SCHEDULE F

TO THE OFFICIAL PLAN
AND
THE TOWN OF ARCATER

REVISED: 10/04/03



TOWN OF DUNDAS



CA 4 ON HBL A08
B91

Authority: Item 2, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04027)
CM: February 25, 2004

Bill No. 036

CITY OF HAMILTON

BY-LAW NO. 04- 036

**To Amend By-law No. 01-215
Being a By-law To Regulate Traffic**

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

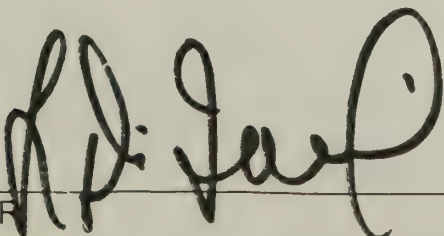
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

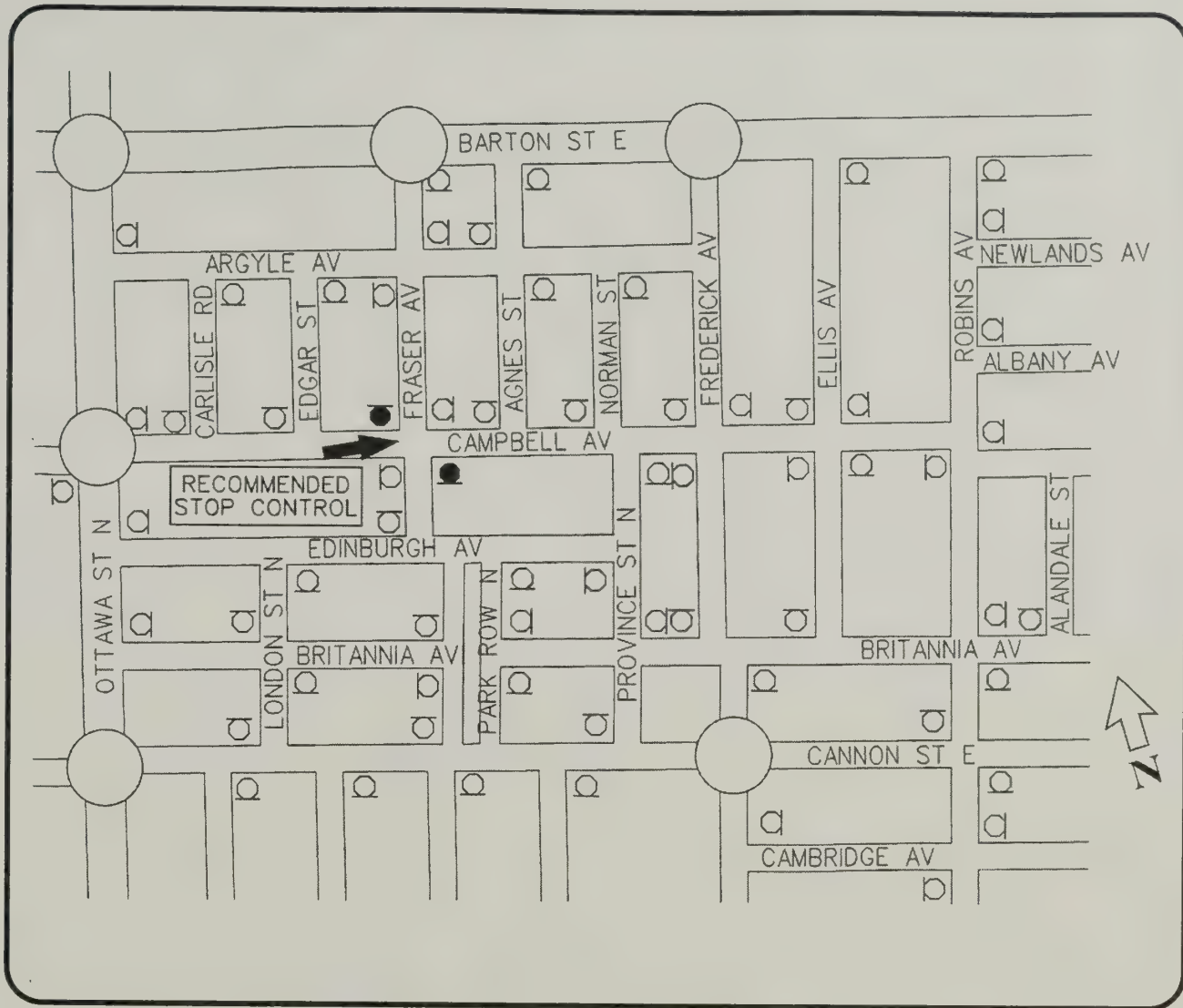
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "E" thereof the following items, namely:

"Fraser Avenue Northbound and Southbound Campbell Avenue"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

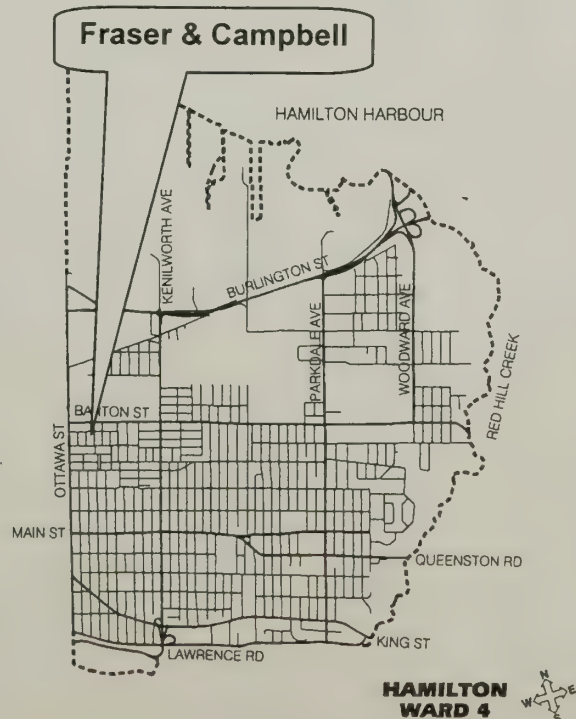
PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



KEY MAP



LOCATION PLAN

ALL WAY STOP CONTROL:
FRASER AVENUE
AND
CAMPBELL AVENUE
CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

	SUBJECT INTERSECTION		
<u>RECOMMENDED</u>		<u>EXISTING</u>	
	TRAFFIC SIGNAL		TRAFFIC SIGNAL
	STOP SIGN		STOP SIGN
	YIELD SIGN		YIELD SIGN
	ROUNDABOUT		ROUNDABOUT

SCALE
NOT TO SCALE

DATE
2004-02-23

REFERENCE FILE NO: **PW04027**

CA 4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 037

**CITY OF HAMILTON
BY-LAW NO. 04-037
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 10 ON PLAN 62M-804
INTO ARROWHEAD DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Arrowhead Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

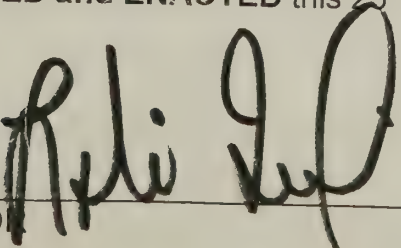
That the following land is hereby established and laid out as a public highway to form part of Arrowhead Drive.

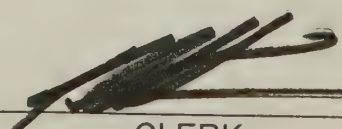
Block 10 on Plan 62M-804.

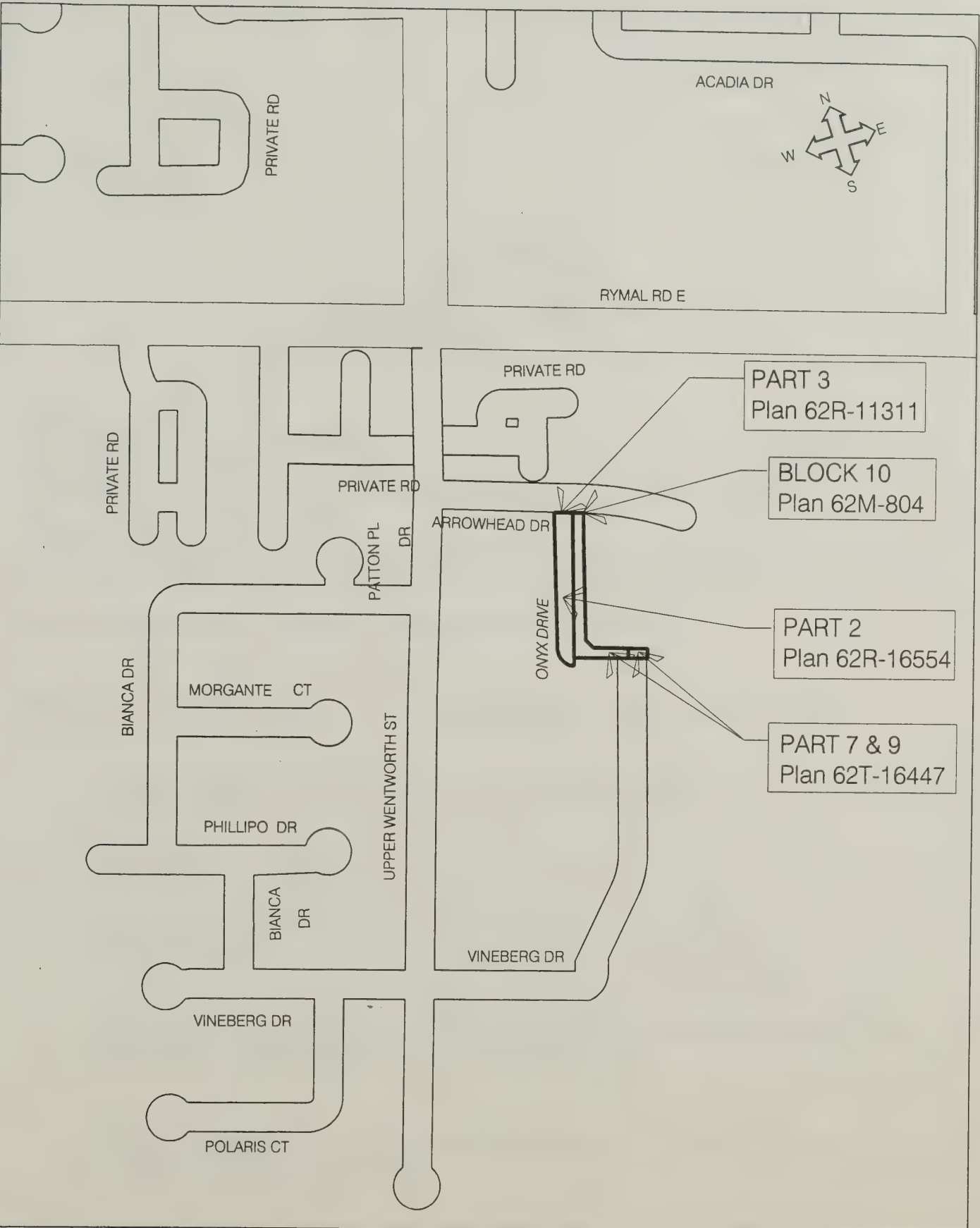
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



— Subject Lands

City of Hamilton

Ward 11

Onyx Drive and Arrowhead Drive

Bylaw 04-037

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

Bill No. 038

**CITY OF HAMILTON
BY-LAW NO. 04-038
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 159 ON PLAN 62M-834
INTO BRAITHWAITE AVENUE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Braithwaite Avenue within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

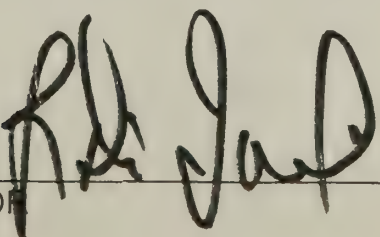
1. That the following land is hereby established and laid out as a public highway to form part of Braithwaite Avenue

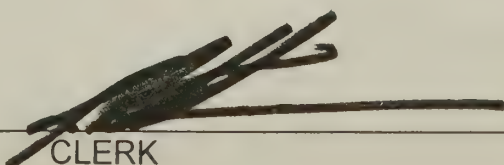
Block 159 on Plan 62M-834.

City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



— Subject Lands

City of Hamilton
Braithwaite Avenue
Ward 12
Bylaw 04-038

**CITY OF
HAMILTON**
Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S

CA4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 039

**CITY OF HAMILTON
BY-LAW NO. 04-039
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-16604
INTO CLOVERLEAF DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Cloverleaf Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

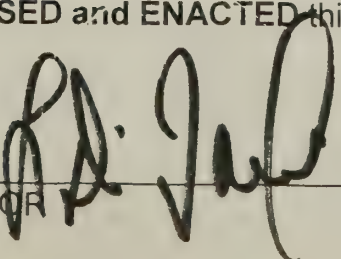
1. That the following land is hereby established and laid out as a public highway to form part of Cloverleaf Drive.

Part of Lot 52, Concession 3, in the Geographic Township of Ancaster, now in the City Of Hamilton. Designated as Part 1 on Plan 62R-16604.

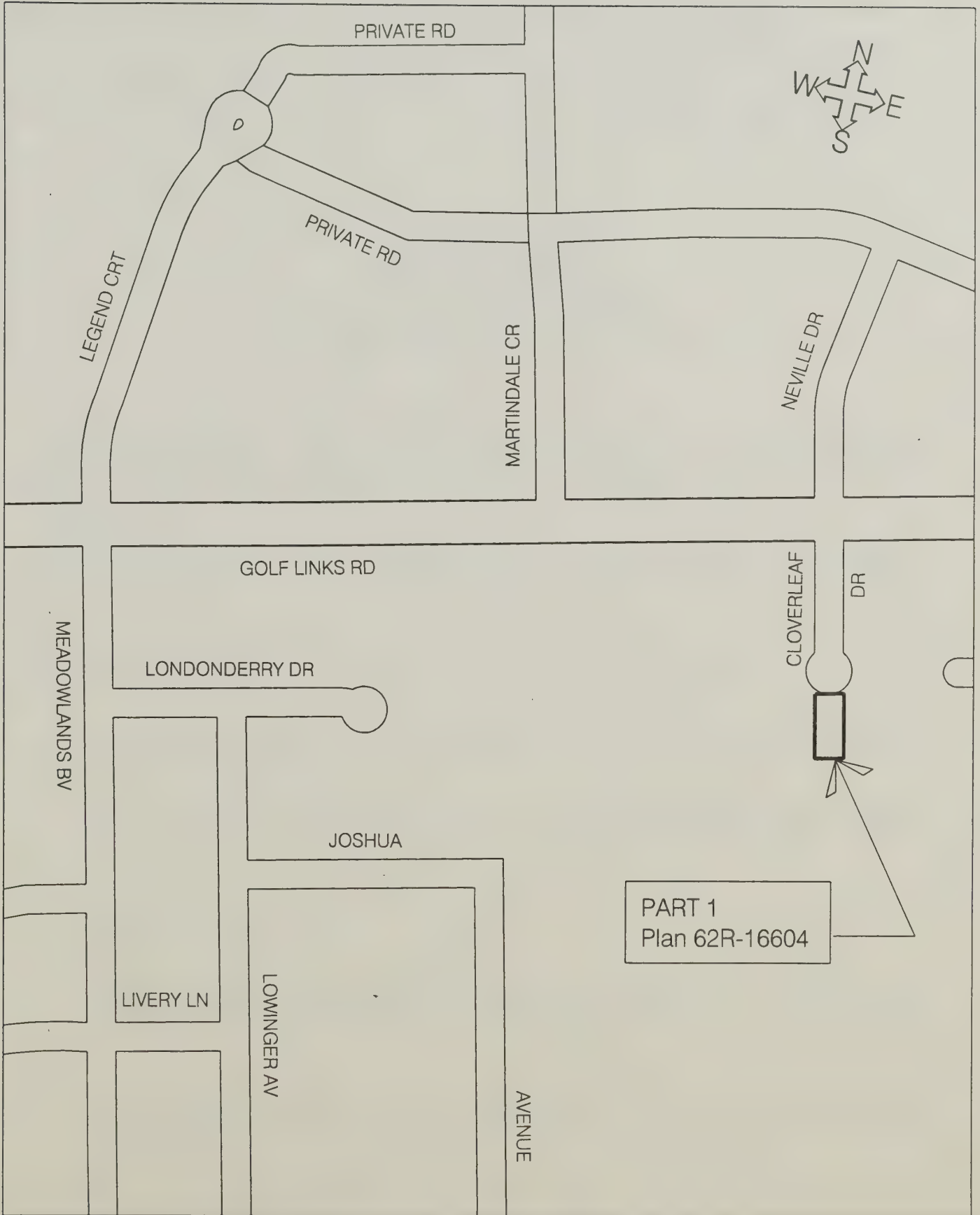
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



— Subject Lands

City of Hamilton
Cloverleaf Drive

Ward 12

Bylaw 04-039

**CITY OF
 HAMILTON**

Public Works Department
 General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

Bill No. 040

**CITY OF HAMILTON
BY-LAW NO. 04-040
TO INCORPORATE CITY LAND
DESIGNATED AS PART 5 ON PLAN 62R-16226
INTO GREENHILL AVENUE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Greenhill Avenue within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Greenhill Avenue.

Part of Lots 27 and 28, Concession 4 in the Geographic Township of Saltfleet, now in the City Of Hamilton. Designated as Part 5 on Plan 62R-16226.

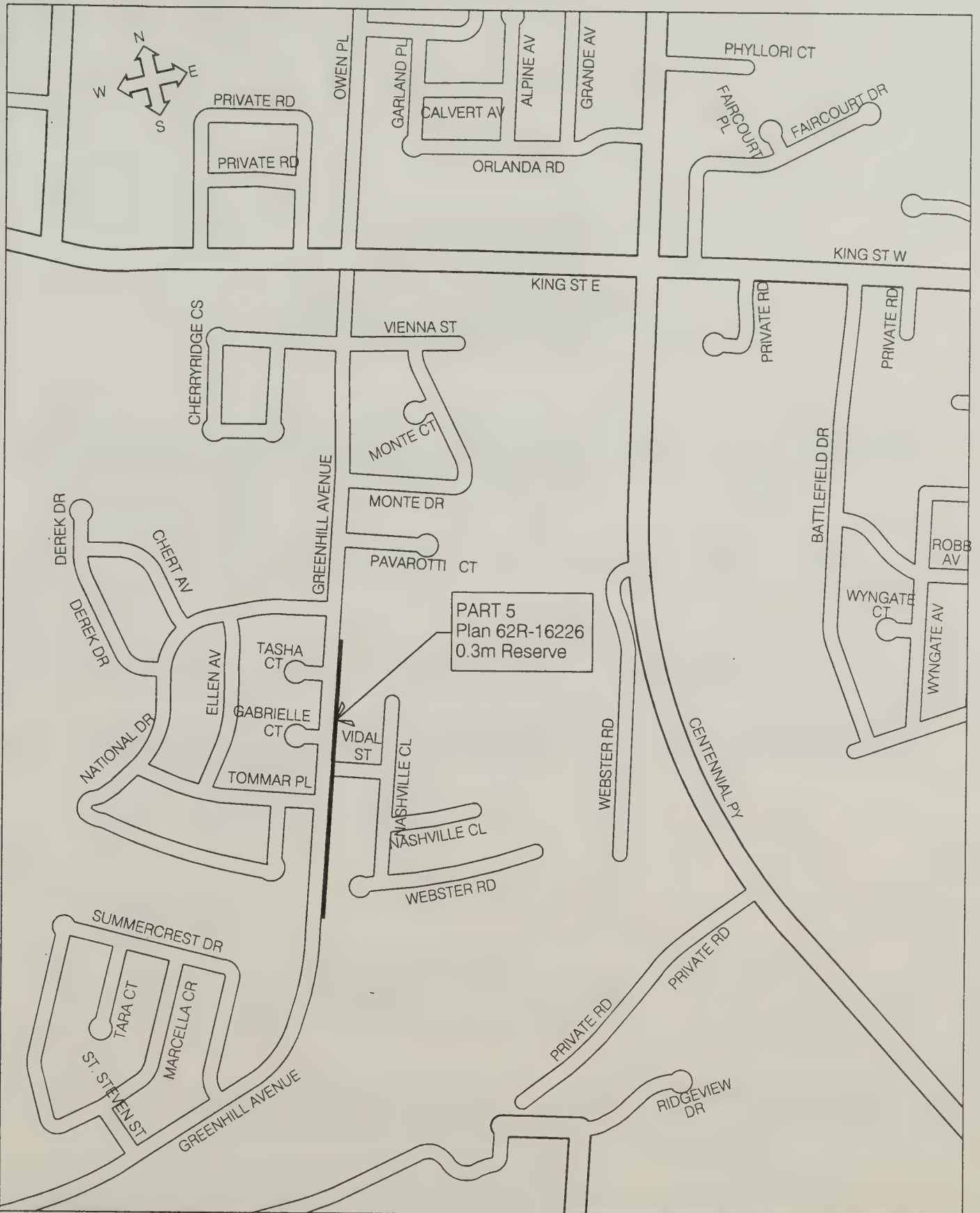
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004

MAYOR

CLERK



— Subject Lands

City of Hamilton
Greenhill Avenue

Ward 5

Bylaw 04-040

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 041

**CITY OF HAMILTON
BY-LAW NO. 04-041
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 152 ON PLAN 62M-975
INTO JEFFREY DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Jeffrey Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

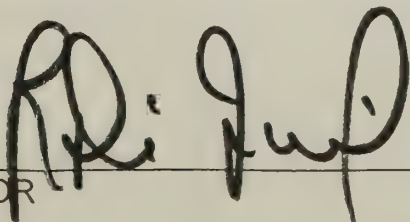
1. That the following land is hereby established and laid out as a public highway to form part of Jeffrey Drive.

Block 152 on Plan 62M-975.

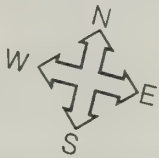
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



MEADOWLANDS BV

GOLF LINKS RD

LONDONDERRY DR

CLOVERLEAF
DR

LIVERY LN

LOWINGER AV

JOSHUA AVENUE

BLOCK 152
Plan 62M-975
0.3m Reserve

JEFFREY DR

SHREWSBURY ST

Subject Lands

City of Hamilton

Jeffrey Drive

Ward 12

Bylaw 04-041

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 042

**CITY OF HAMILTON
BY-LAW NO. 04-042
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 131 ON PLAN 62M-975
INTO JOSHUA AVENUE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Joshua Avenue within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

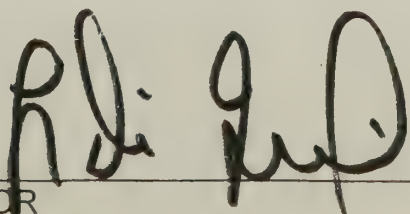
1. That the following land is hereby established and laid out as a public highway to form part of Joshua Avenue.

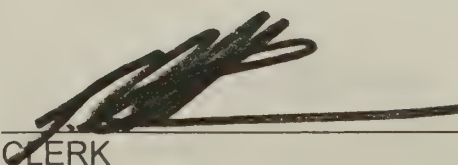
Block 131 on Plan 62M-975.

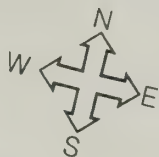
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



GOLF LINKS RD

LONDONDERRY DR

CLOVERLEAF
DR

MEADOWLANDS BV

BLOCK 131
Plan 62M-975
0.3m Reserve

LIVERY LN

LOWINGER AV

JOSHUA AVENUE

JEFFREY DR

SHREWSBURY ST

Subject Lands

City of Hamilton

Joshua Avenue

Ward 12

Bylaw 04-042

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA4 ON HBL 408
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 043

**CITY OF HAMILTON
BY-LAW NO. 04-043
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 156 ON PLAN 62M-834
INTO KENDRICK COURT**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Kendrick Court within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Kendrick Court.

Block 156 on Plan 62M-834.

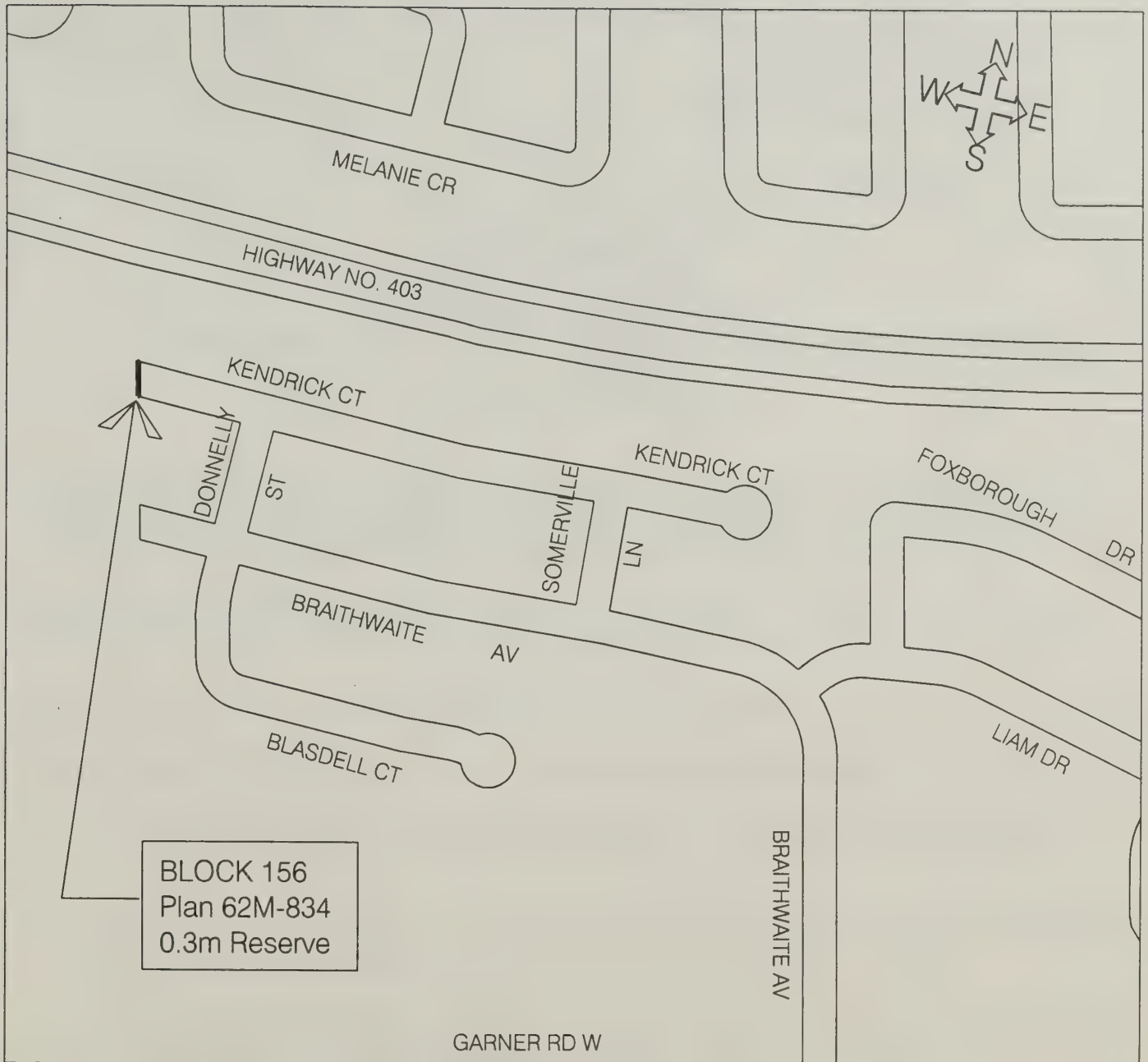
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004

MAYOR

CLERK



Subject Lands

City of Hamilton

Kendrick Court

Ward 12

Bylaw 04-043

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA 4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 044

**CITY OF HAMILTON
BY-LAW NO. 04-044
TO INCORPORATE CITY LAND
DESIGNATED AS PART 2 ON PLAN 62R-16554 AND PARTS 7 AND 9 ON
PLAN 62R-16447
INTO ONYX DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Onyx Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Onyx Drive.

Part of Lot 9, Concession 1, in the Geographic Township of Glanford, now in the City Of Hamilton. Designated as Part 2 on Plan 62R-16554.

Part of Lot 9, Concession 1 in the Geographic Township of Glanford, now in the City Of Hamilton. Designated as Parts 7 and 9 on Plan 62R-16447.

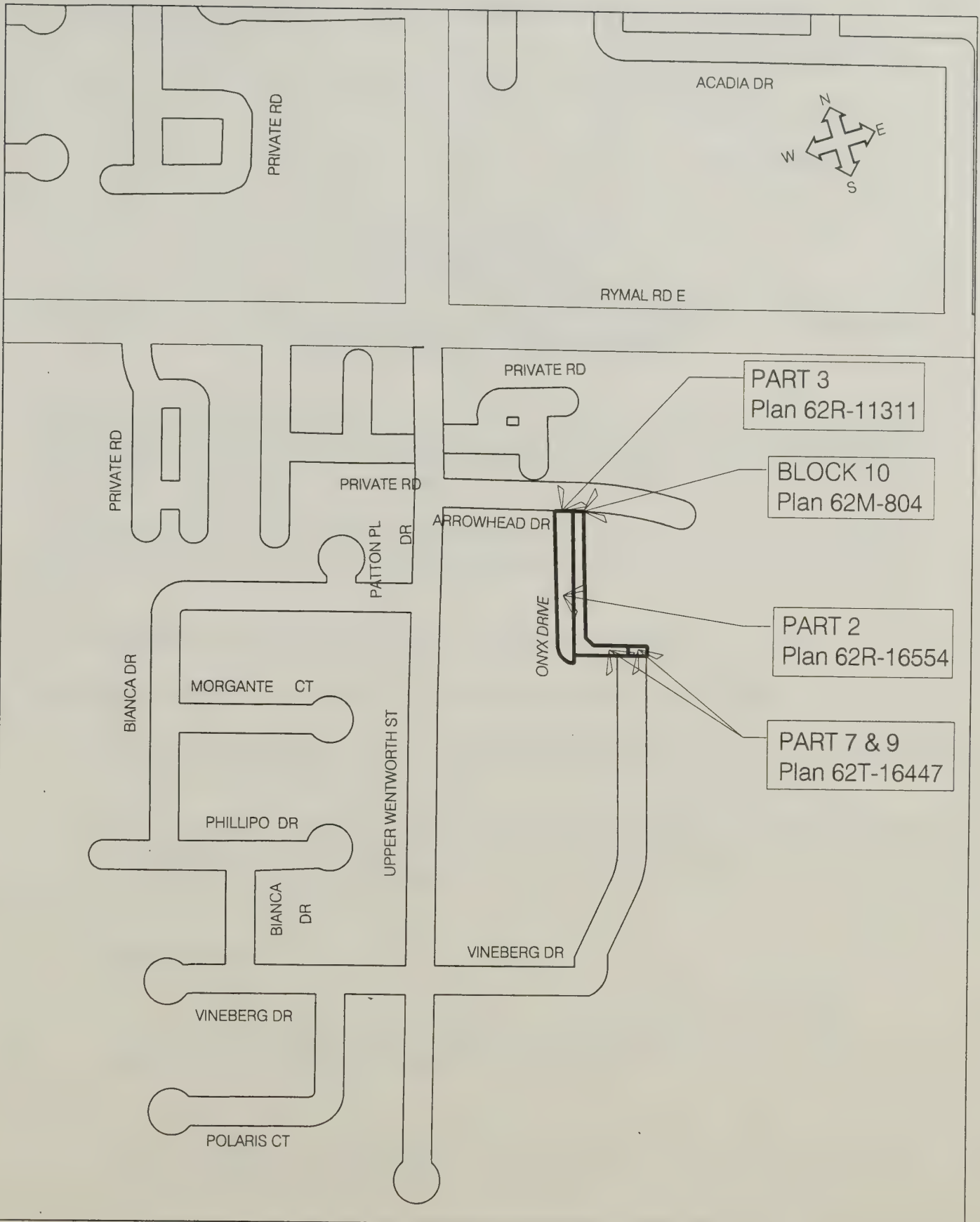
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004

MAYOR

CLERK



— Subject Lands

City of Hamilton
Ward 11
Onyx Drive and Arrowhead Drive
 Bylaw 04-044

CITY OF HAMILTON
 Public Works Department
 General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA 4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 045

**CITY OF HAMILTON
BY-LAW NO. 04-045
TO INCORPORATE CITY LAND
DESIGNATED AS PARTS 4, 6, 9, 13, 14, 15, 18, 19, AND 20 ON PLAN 62R-16502
INTO PARKDALE AVENUE NORTH**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Parkdale Avenue North within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

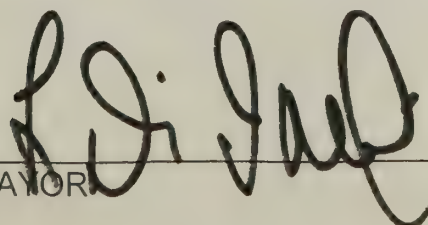
1. That the following land is hereby established and laid out as a public highway to form part of Parkdale Avenue North.

Part of the Road Allowance between Lots 32 and 33 in the Geographic Township of Saltfleet, as closed by By-Law 7240. Designated as Parts 4, 6, 9, 13, 14, 15, 18, 19 and 20 on Plan 62R-16502.

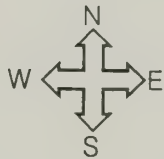
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



PARTS 4, 6, 9
Plan 62R-16502

PARTS 18, 19 & 20
Plan 62R-16502

PARTS 13, 14, 15
Plan 62R-16502

PARKDALE AV N

BURLINGTON STREET

Subject Lands

City of Hamilton
Parkdale Avenue North
Ward 4

Bylaw 04-045

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA 4 ON HBL A08
891

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 046

**CITY OF HAMILTON
BY-LAW NO. 04-046
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 125 ON PLAN 62M-509
INTO REGALVIEW DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Regalview Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

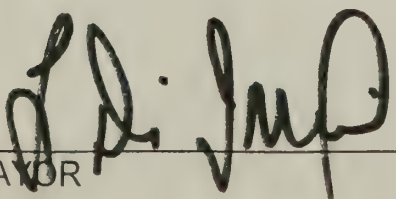
1. That the following land is hereby established and laid out as a public highway to form part of Regalview Drive.

Block 125 on Plan 62M-509.

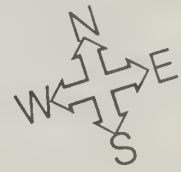
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



FRUITLAND RD

PRIVATE RD

HIGHWAY NO. 8

BLOCK 125
Plan 62M-509
0.3m Reserve

REGALVIEW DR

CLEARVIEW DR

VINEHILL DR

ADRIATIC BV

GOLDCREST DR

REGALVIEW DR

SHADELAND CR

— Subject Lands

City of Hamilton
Regalview Drive

Ward 9

Bylaw 04-046

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

Bill No. 047

**CITY OF HAMILTON
BY-LAW NO. 04-047
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 45 AND 46 ON PLAN 62M-909 AND BLOCK 12 ON
PLAN 62M-954
INTO SILVERLACE CIRCLE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Silverlace Circle within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. That the following land is hereby established and laid out as a public highway to form part of Silverlace Circle.

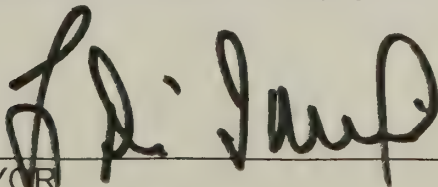
Blocks 45 and 46 on Plan 62M-909 and Block 12 on Plan 62M-954.

City of Hamilton

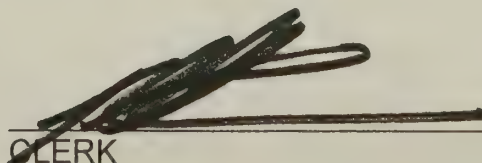
2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

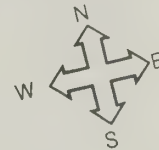
PASSED and ENACTED this 25th day of February, 2004

MAYOR



CLERK





SONOMA LANE

WINONA RD

BENZIGER LANE

NAPA LANE

BLOCK 46
Plan 62M-909
0.3m Reserve

BARTON ST

BLOCK 12
Plan 62M-954
0.3m Reserve

PARKMANOR DR

SILVERLACE CL

SILVERLACE CL

YELLOWWOOD

MILLIKIN DR

MAPLE GATE
DR

WINONA RD

HIGHWAY NO. 8

Subject Lands

City of Hamilton
Silverlace Circle
Ward 11

Bylaw 04-047

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

Bill No. 048

**CITY OF HAMILTON
BY-LAW NO. 04-048
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCKS 165 AND 166 ON PLAN 62M-950
INTO SPRINGSTEAD AVENUE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Springstead Avenue within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

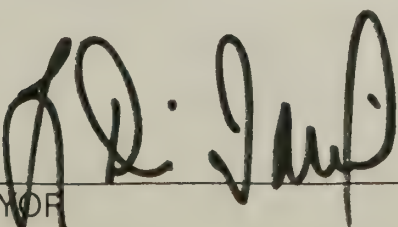
1. That the following land is hereby established and laid out as a public highway to form part of Springstead Avenue.

Block 165 and 166 on Plan 62M-950.

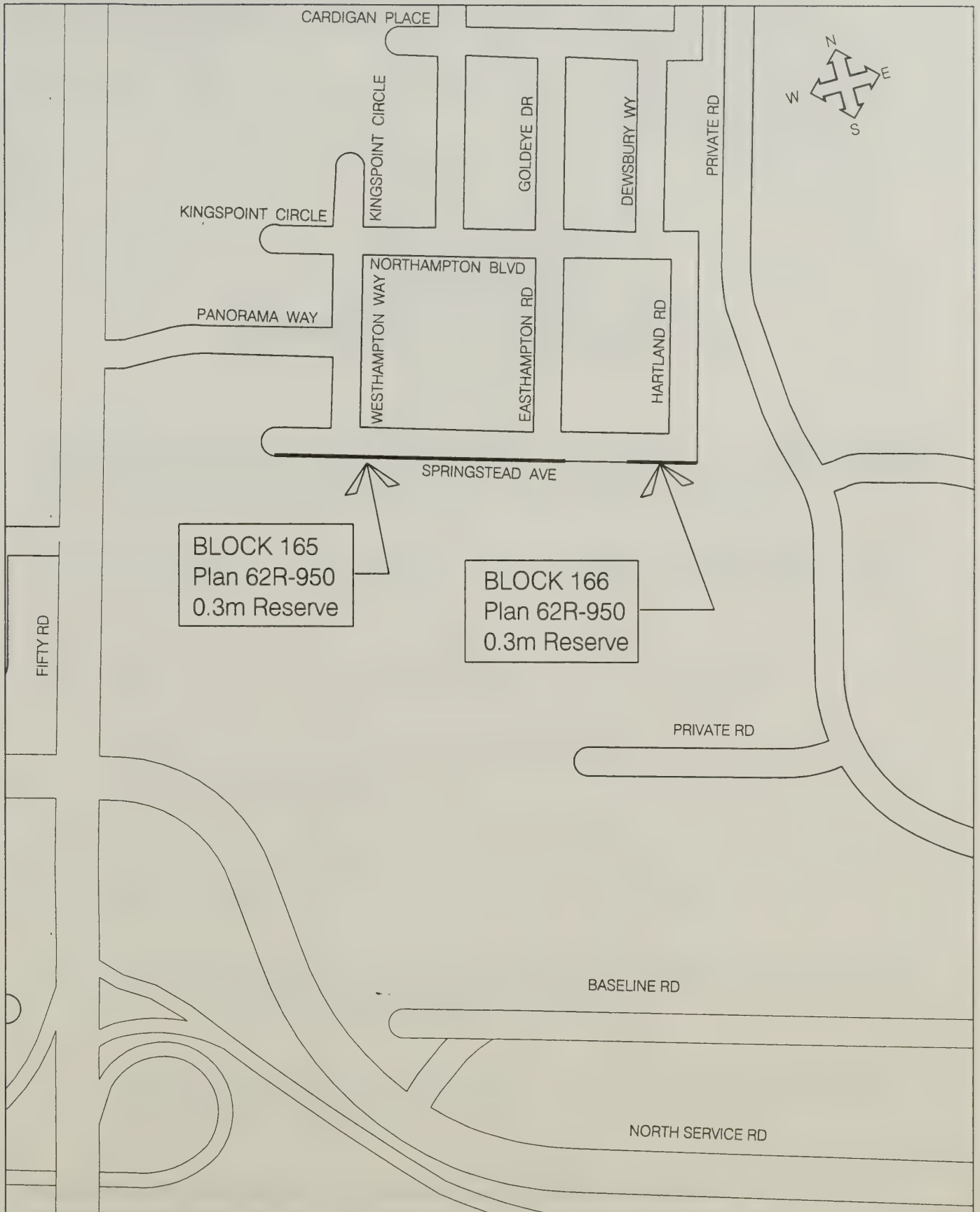
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



— Subject Lands

City of Hamilton
Springstead Drive
Ward 11
Bylaw 04-048

CITY OF HAMILTON
Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA4 ON #BL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 049

**CITY OF HAMILTON
BY-LAW NO. 04-049
TO INCORPORATE CITY LAND
DESIGNATED AS PART 1 ON PLAN 62R-16620
INTO STONEHENGE DRIVE**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Stonehenge Drive within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

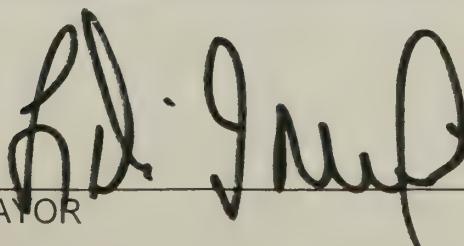
- 1 That the following land is hereby established and laid out as a public highway to form part of Stonehenge Drive.

Part of Block 86 on Plan 62M-895, designated as Part 1 on Plan 62R-16620.

City of Hamilton

- 2 That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
- 3 That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

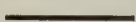
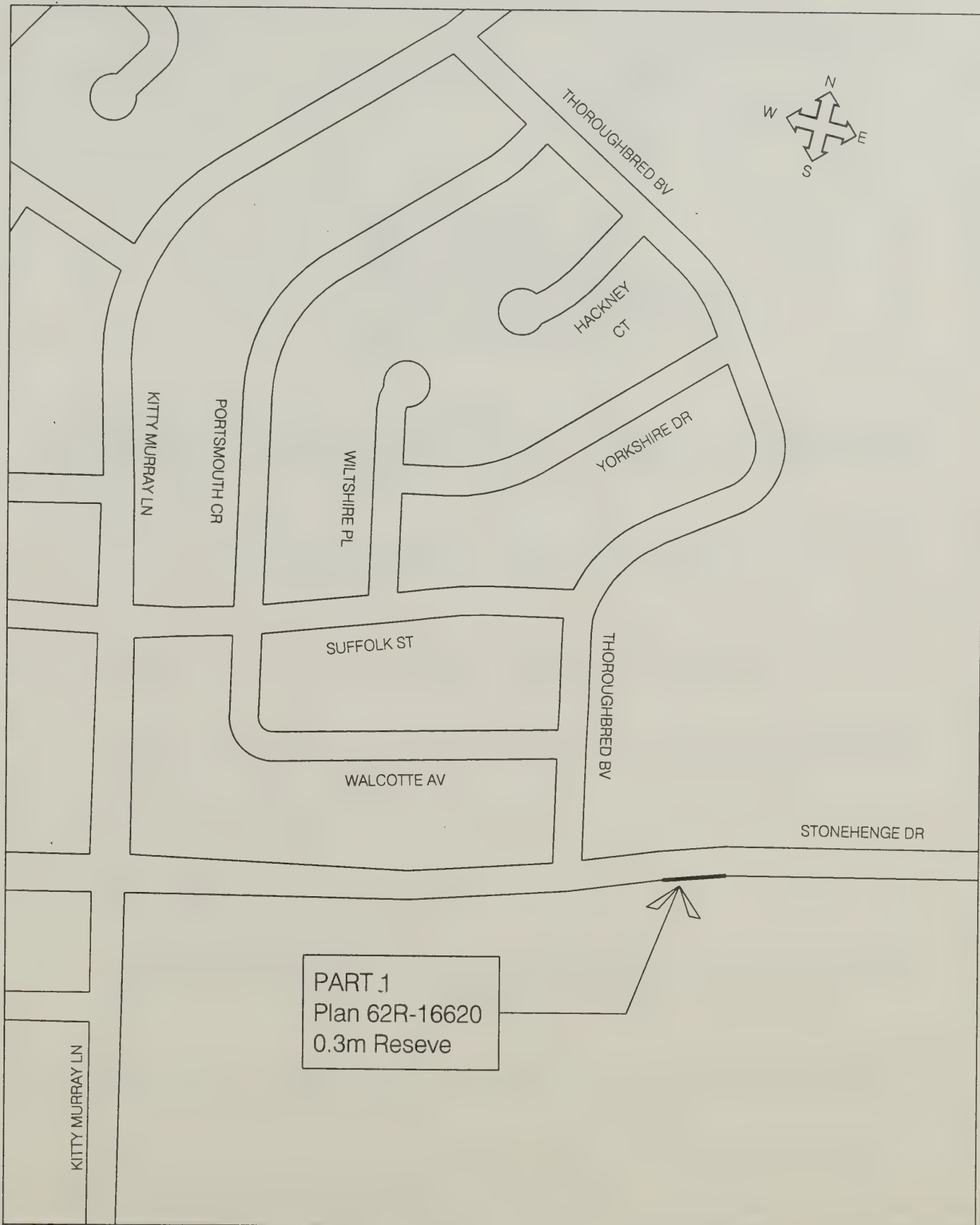
PASSED and ENACTED this 25th day of February, 2004



MAYOR



CLERK



Subject Lands

City of Hamilton
Stonehenge Drive
Ward 12
Bylaw 04-049

**CITY OF
HAMILTON**
Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CA4 ON HBL A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-006
(PW04018)
CM: February 25, 2004

Bill No. 050

**CITY OF HAMILTON
BY-LAW NO. 04-050
TO INCORPORATE CITY LAND
DESIGNATED AS BLOCK 85 ON PLAN 62M-552
INTO TERAMO COURT**

WHEREAS the Council of the City of Hamilton is empowered under Section 31(1) of The Municipal Act, 2001, Chapter 25 and amendments thereto, to establish and lay out, widen, alter, divert, stop-up, lease or sell any highway or part of a highway;

AND WHEREAS the Council of the City of Hamilton deems it necessary to incorporate the land described below into the highway known as Teramo Court within its limits;

AND WHEREAS the said land is owned by the City of Hamilton;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

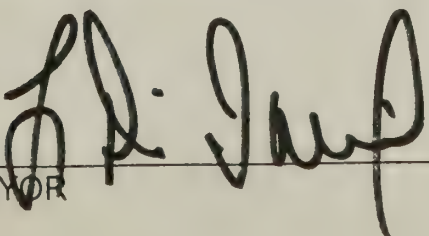
1. That the following land is hereby established and laid out as a public highway to form part of Teramo Court.

Block 85 on Plan 62M-552.

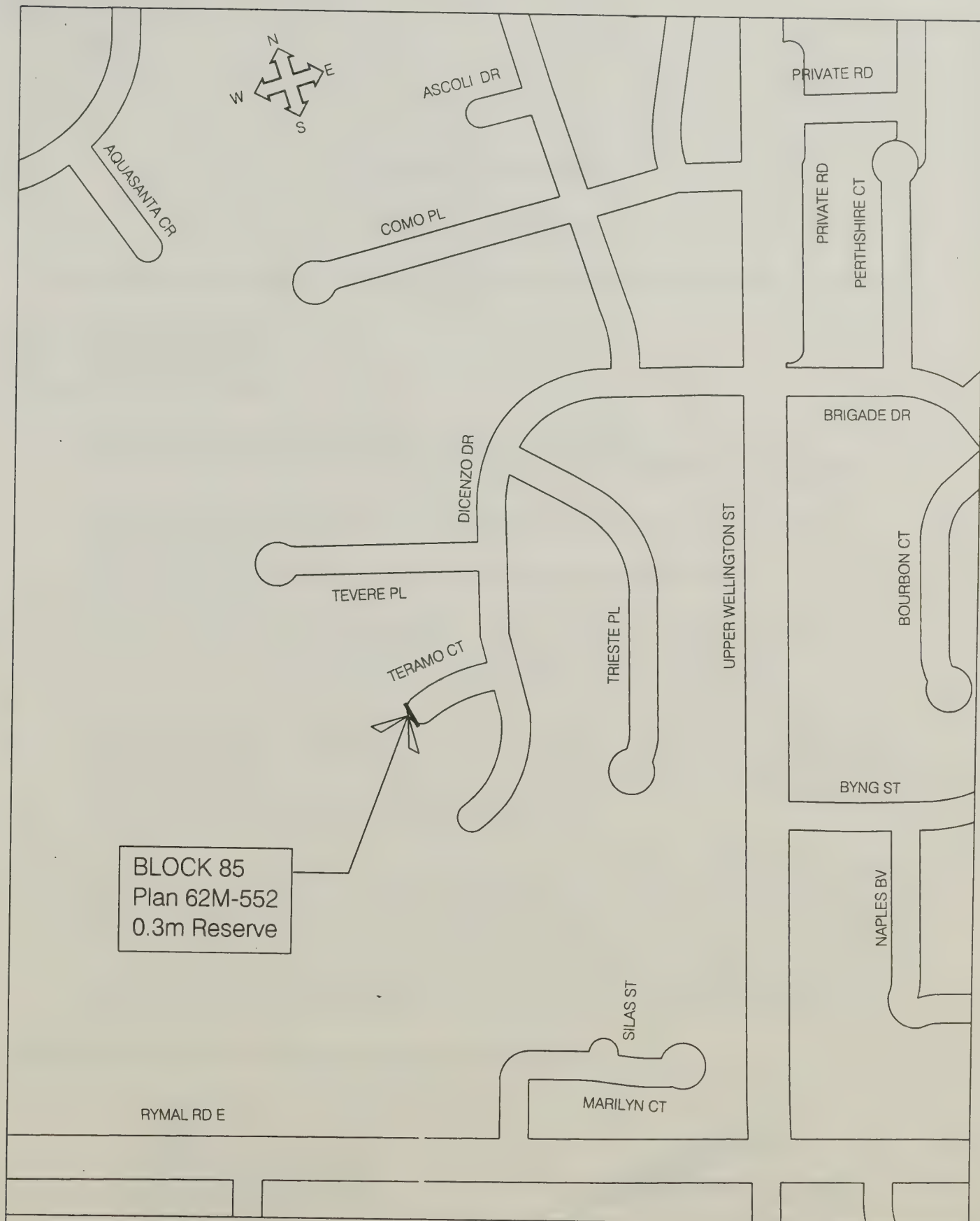
City of Hamilton

2. That the General Manager of Public Works or his duly authorized agent is hereby authorized to open the said land as a public highway.
3. That this by-law comes into force and takes effect on the date of its registration in the Land Registry Office (No. 62).

PASSED and ENACTED this 25th day of February, 2004


MAYOR


CLERK



BLOCK 85
Plan 62M-552
0.3m Reserve

— Subject Lands

City of Hamilton

Teramo Court

Ward 7

Bylaw 04-050

**CITY OF
HAMILTON**

Public Works Department
General Manager, Peter M. Crockett, P.Eng.

DATE: JANUARY, 2004

SCALE: N.T.S.

CAL ON HBL A08
B91

Bill No. 051

THE CITY OF HAMILTON

BY-LAW NO. 04- 051

To Confirm the Proceedings of City Council at its meeting held on February 25, 2004

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 25th day of February, 2004 in respect of each recommendation contained in,

Public Works, Infrastructure and Environment Committee, Report 04-006, February 16, 2004,

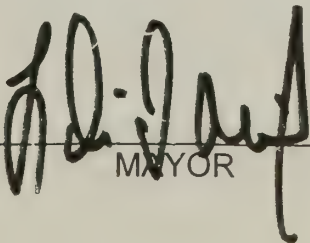
Planning and Economic Development Committee, Report 04-004, February 17, 2004,

Corporate Administration Committee, Report 04-005, February 18, 2004, Strategic Planning and Budgets, Report 04-003, February 18, 2004, Community Services Committee, Report 04-004, February 24, 2004,

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 25th day of February, 2004



MAYOR



CITY CLERK

Authority: Item 1, Planning and Economic
Development Committee
Report 04-004 (PD04050)
CM: February 25, 2004

Bill No. 052

CITY OF HAMILTON

BY-LAW NO. 04-052

**To Amend Zoning By-law No. 6593, as amended by Zoning By-law No. 95-182,
Respecting Lands Located at the rear of 1451-1477 Upper James Street**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

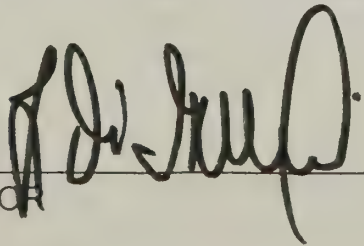
AND WHEREAS the Council of the City of Hamilton, in adopting Item 1 of Report 04-004 of the Planning and Economic Development Committee at its meeting held on the 17 day of February, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The 'H' (Holding) symbol affixed by By-law No. 95-182 (Hamilton), passed on the 26th of September, 1995, to the "RT-30"-H' (Street Townhouse - Holding) District, respecting the lands the extent and boundaries of which are shown on a plan annexed as Schedule "A" to By-law No. 95-182 (Hamilton) and forming part thereof, is hereby removed, and the development of lands may proceed in accordance with the "RT-30" (Street Townhouse) District, provisions of Zoning By-law No. 6593 (Hamilton), subject to the special requirements referred to in By-law No. 95-182 (Hamilton).
2. Sheet No. E-9D of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), as amended by By-law No. 95-182, is further amended, by changing from "'RT-30"-H' (Street Townhouse - Holding) District, modified, to the "RT-30" (Street Townhouse) District, modified, the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A" and forming part of this By-law.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "RT-30" (Street Townhouse) District provisions, subject to the special requirements referred to in section 3 of By-law No. 95-182.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1342c.
5. Sheet No. E-9D of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1342c.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of March, 2004.



MAYOR

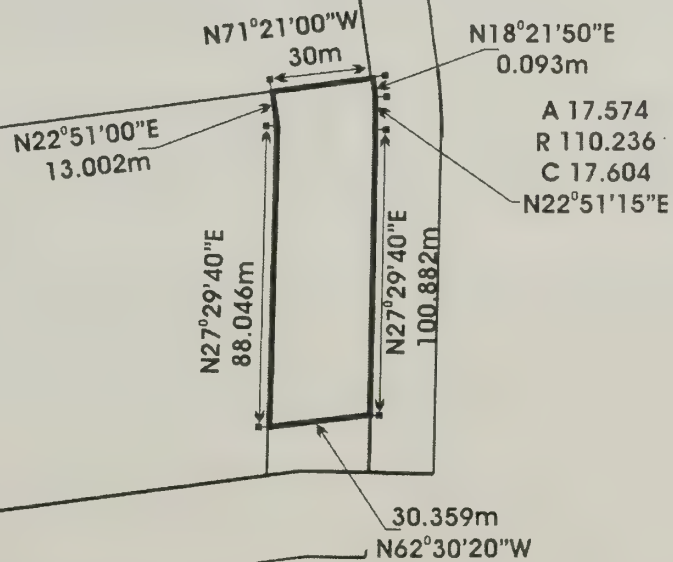
CLERK

STONE CHURCH ROAD EAST



UPPER JAMES ST

DICENZO DRIVE



REGINA DR

This is Schedule "A" to By-Law No. 04 — 052

Passed the 10th day of March, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

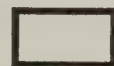
Map Forming Part of
By-Law No. 04-052
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property

Rear or 1451-1477 Upper James Street
Parts 6 to 9, Plan 62R-15778

"RT-30"-H (Street Townhouse - Holding)
District, modified to "RT-30" (Street
Townhouse) District, modified



Scale
NOT TO SCALE

Date
February 05, 2004

Reference File No
ZAH-04-05

Drawn By
NB

CITY OF HAMILTON

BY-LAW NO. 04- 053

To Amend By-law No. 01-218, as amended,
Being a By-law To Regulate On-Street Parking

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Sunters Court	Both	Foxborough Drive to northerly end	4 hr	Anytime	November 1" to April 30
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and by deleting from Section "E" thereof the following items, namely:

"Connaught West	Cannon to King	2 hr	Anytime	Anyday
Macauley South	James to 183 feet east	1 hr	8 am – 9 pm	Mon - Sat"

and by adding to Section "E" thereof the following items, namely:

"Connaught West	King to 28.4m northerly	1 hr	Anytime	Anyday
Macauley South	James to 55.6m easterly	1 hr	7 am – 10 pm	Anyday"

2. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following item, namely:

"Moore Cr.	South	from 187.5m north and thence 20.1m west of the eastern intersection with Morwick Dr. to 9.8m westerly	Anytime"
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and by adding to Section "E" thereof the following item, namely:

"Glow	South	from 58m west of Brighton to Parkdale	Anytime"
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3. Schedule 12 (Permit Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following items, namely:

"East 19 th	West	25 feet south of Inverness to 20 feet southerly therefrom	Anytime
------------------------	------	--	---------

East 24 th	West	commencing 355 feet south of Crockett and extending 21 feet southerly therefrom	Anytime
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Ferguson	West	commencing at a point 96 feet south of Wood to a point 25 feet southerly therefrom	Anytime
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West	East	from 77.4m north of King William to 5.8m northerly	Anytime"
------	------	---	----------

4. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Dunham Dr.	East	Wilson Street to northerly end	Anytime
-------------	------	--------------------------------	---------

Jerseyville Road	Both	from 109.8m west of Landfill Site Entrance to 246.9m easterly	Anytime
---------------------	------	--	---------

Garner Rd.	North	Fiddler's Green Rd. to 120.1m westerly	Anytime
---------------	-------	--	---------

Reg. Rd. #52	Both	North limit of Highway #403 to 250m northerly	Anytime
-----------------	------	--	---------

Wislon St.	South	Cameron to 209m easterly	Anytime
------------	-------	--------------------------	---------

Wilson St.	North	Cameron to 190m easterly	Anytime
------------	-------	--------------------------	---------

Wilson St.	South	Academy St. to 85m west of Church St.	Anytime"
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and by deleting from Section "G" thereof the following items, namely:

"Jerseyville Road	Both	360' west of Landfill Site Entrance to 810' easterly	Anytime
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Reg. Rd. #52 (formerly Hwy. #52)	Both	North limit of Highway #403 to a point 250m northerly therefrom	Anytime
----------------------------------	------	---	---------

Reg. Rd. 253 (Garner Rd. W.)	North	Fiddler's Green to 394 feet westerly	Anytime
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Wilson (Reg. Rd. 247)	South	Cameron to 209 m easterly	Anytime
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Wilson (Reg. Rd. 247)	North	Cameron to 190 m easterly	Anytime
-----------------------	-------	---------------------------	---------

Wilson St.	South	85 metres west of Church Street to Academy Street	Anytime"
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5. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

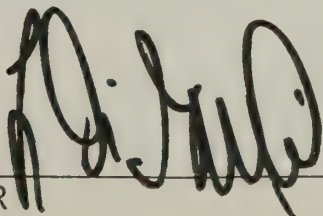
"East 24 th	West	from 108.2m south of Crockett to 6.4m southerly	Anytime"
------------------------	------	---	----------

6. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

7. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 10th day of March, 2004.

MAYOR



CLERK



CAYON HBL A08

B91

Authority: Item 20, Planning and Economic
Development Committee
Report-04-005 (PD04064)
CM: March 10, 2004

Bill No. 054

CITY OF HAMILTON

BY-LAW NO. 04-054

To Extend the expiration date of Interim Control Zoning By-law No. 03-064 Respecting LANDS ZONED K including all exceptions within those zones under the City of Hamilton Zoning By-law 6593 as amended within the Barton Street and Tiffany Street Industrial Area as more particularly shown on Schedule A to this By-law

WHEREAS subsection 38 of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended permits Council of a municipality to pass an interim control by-law where the Council has directed that a review or study be undertaken in respect of land use planning policies within the municipality or in any defined area or areas thereof;

AND WHEREAS subsection 38(2) of the *Planning Act*, R.S.O. 1990 c.P. 13 as amended provides as follows:

38. (2) The Council of a municipality may amend an interim control by-law to extend the period of time during which it will be in effect, provided the total period of time does not exceed two years from the date of the passing of the Interim Control By-law.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the *City of Hamilton Act, 1999* (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the land use study continues to determine the appropriate land uses within the Barton Street and Tiffany Street Industrial Area more particularly shown on Schedule "A" attached hereto;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

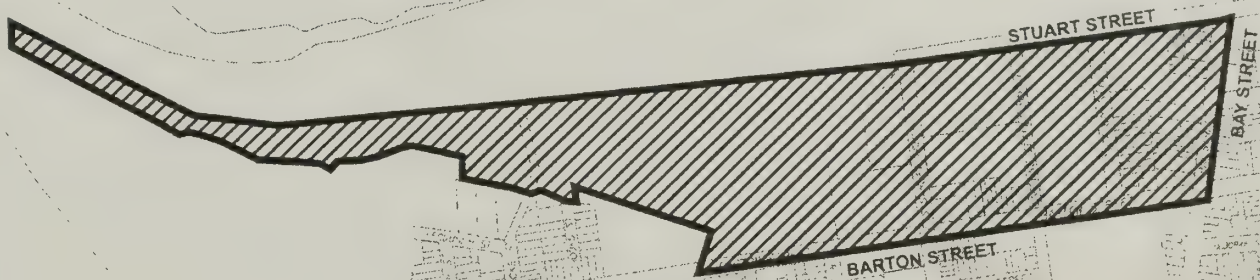
1. It is hereby directed that a planning study continue in respect of the land use policies in the area described in Schedule "A" attached hereto.

2. Except for such lawful uses as the land is being used on the date of passing this by-law, no person shall use any land, building or structure shown on the plan hereto attached and identified as Schedule "A" for any uses permitted in the "K" District.
3. On those lands municipally known as 175 Stuart Street, a prefabricated industrial building may be erected in the location more particularly identified and shown on the plan hereto attached and identified as Schedule "B" and used in association with the existing metal recycling operation.
4. This By-law shall be in effect until March 25, 2005.
5. By-law No. 6593 is amended by adding this by-law to Section 19B as Schedule S-1482.
6. Sheet Nos. W- 3, W-11. W-20 and W-21 of the District Maps is amended by marking the subject lands, S-1496.
7. The Municipal Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this By-law, in accordance with the *Planning Act*.

PASSED and ENACTED this 10th day of March, 2004.

MAYOR

CLERK



This is Schedule "A" to By-Law No. 04 — 054

Passed the 10th day of March, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-054
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property

North



Scale

NOT TO SCALE

Date

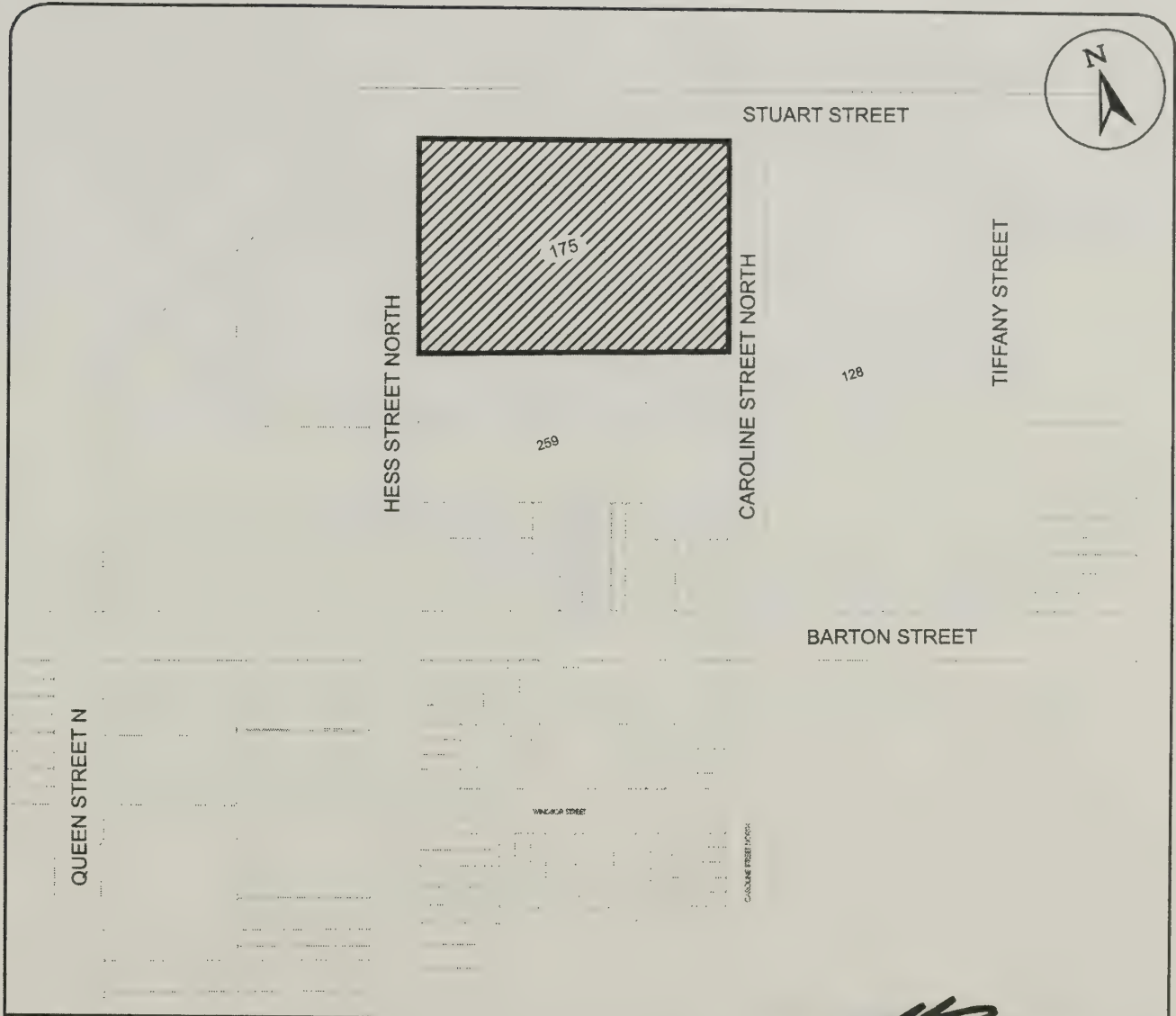
February 04, 2004

Reference File No.

BAY AND BARTON ST.

Drawn By

NB



This is Schedule "B" to By-Law No. 04 — 054

Passed the 10th day of March, 2004

[Signature]
Client
[Signature]
Mayor

Schedule "B"

Map Forming Part of
By-Law No. 04-054
to Amend By-Law No. 6593



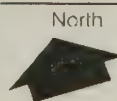
Hamilton

Planning and Development Department

Legend



Subject Lands



North

Scale
NOT TO SCALE

Date
February 11, 2004

Reference File No.
PD04064

Drawn By
LC

CA 4 ON HBC 400

B91

Authority: Item 9, Planning and
Development Committee Report
04-005 (PD03171)
CM; March 10, 2004

Bill No. 055

CITY OF HAMILTON

BY-LAW NO. 04-055

To Amend By-law No. 03-199

WHEREAS on the 9th day of July, 2003, the Council of the City of Hamilton enacted By-law No. 03-199, being a By-law to require the conveyance of land for park or other public recreational purposes as a condition of development or redevelopment or the subdivision of land;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Section 12 of By-law 03-199 is hereby deleted and the following substituted therefore, namely:

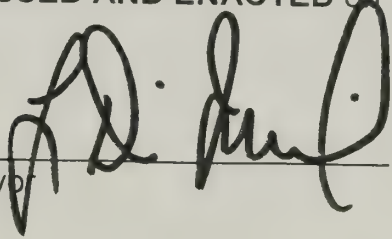
"12. Pursuant to Sections 41, 51 and 53 of the *Planning Act*, the provisions of this By-law shall apply to:

- a. any application for consent or site plan approval not finally granted prior to July 9, 2003; and
- b. any draft plan of subdivision applied for after July 9, 2003; and
- c. any subdivision application having been granted draft plan approval for a period of five (5) years or more which has not proceeded with registration of at least one (1) phase of the subdivision plan within three (3) years of the draft plan approval date."

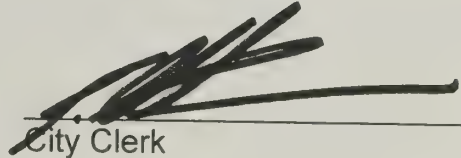
2. In all other respects, the contents of By-law No. 03-199 are hereby confirmed and remain unchanged.

PASSED AND ENACTED on the 10th day of March, 2004.

Mayor

A large, stylized handwritten signature in black ink, written over a horizontal line.

City Clerk

A large, stylized handwritten signature in black ink, written over a horizontal line.

C440N HBL H08
B91

Authority: Item 14, Planning and
Economic Development
Committee
Report 04-005 (PD04062)
CM: March 10, 2004

Bill No. 056

CITY OF HAMILTON

BY-LAW NO. 04-056

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 47 Caroline Street North**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 14 of Report 04-005 of the Planning and Economic Development Committee at its meeting held on the 10th day of March, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

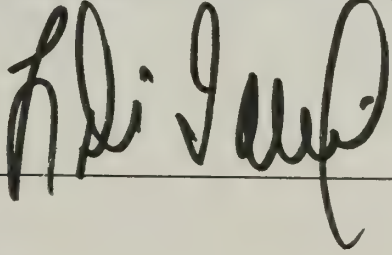
AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

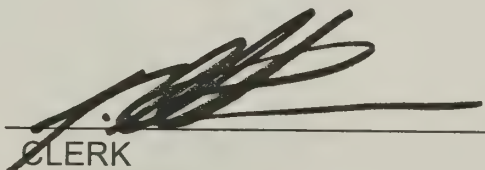
1. The "E-3" (High Density Multiple Dwellings) District provisions, as contained in Section 11C of Zoning By-law No. 6593, applicable to the lands, the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirements:
 - (a) That notwithstanding Section 11C (1a) (a) of Zoning By-law 6593, the height of a building or structure shall not exceed 6 storeys in height;
 - (b) That notwithstanding Section 11C (2) (a) of Zoning By-law 6593, a minimum front yard of 0.0 metres shall be permitted for the first, second and third floors;
 - (c) That notwithstanding Section 11C (2) (a) of Zoning By-law 6593, a minimum setback of 2.9 metres from the front lot line shall be required for the fourth, fifth and sixth floors;
 - (d) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum north side yard of 0.0 metres shall be permitted for the first, second and third floors;
 - (e) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum setback of 3.2 metres from the north side lot line shall be required for the fourth, fifth and sixth floors;
 - (f) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a south side yard having a minimum width of 1.2 metres shall be provided and maintained for the first and second floor;
 - (g) That notwithstanding Section 11C (2) (b) of Zoning By-law 6593, a minimum setback of 3.0 metres from the south side lot line shall be required for the second, third, fourth, fifth and sixth floors;
 - (h) That notwithstanding Section 11C (2) (c) of Zoning By-law 6593, a rear yard having a depth of at least 2.1 metres shall be provided and maintained for the first and second floor;
 - (i) That notwithstanding Section 11C (2) (c) of Zoning By-law 6593, a minimum setback of 3.5 metres from the rear lot line shall be required for the second, third, fourth, fifth and sixth floors;
 - (j) That notwithstanding Section 11C (4) of Zoning By-law 6593, a maximum gross floor area of 4,800 m² shall be permitted;
 - (k) That notwithstanding Section 11C (5) of Zoning By-law 6593, a minimum of 14% of the ground area of the lot shall be provided and maintained as landscaped area; and,

- (l) That notwithstanding Section 11C (5) of Zoning By-law 6593, a total of not less than 24% of the area of the lot shall be provided and maintained as amenity area on the second and fourth floors.
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "E-3" (High Density Multiple Dwellings) District provisions, subject to the special requirements referred to in section 1.
 3. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1497.
 4. Sheet No. W-4 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1497.
 5. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of March, 2004.

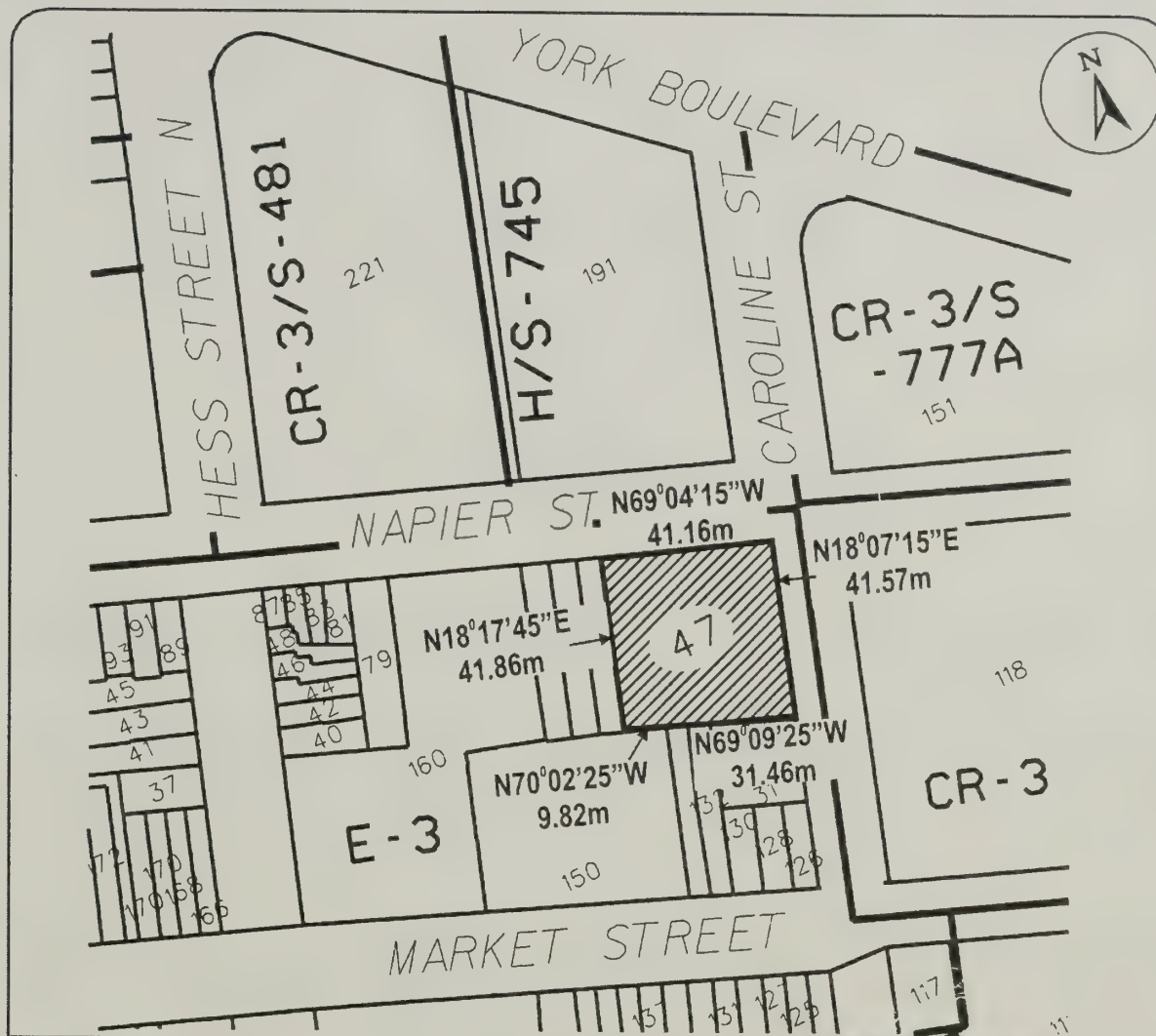


MAYOR



CLERK

ZAR-03-99



This is Schedule "A" to By-Law No. 04-056

Passed the 10th day of March, 2004

[Signature]
Clerk
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-056
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Subject Property

47 Caroline Street North



Modification to the "E3" (High Density Multiple Dwellings) District provisions



North

Scale
NOT TO SCALE

Date
Feb 06, 2004

Reference File No.
ZAR-03-99

Drawn By
LM

CA4 ON HBL A08
B91

Authority: Item 15, Planning and Economic
Development Committee
Report 04-005 (PD04065)
CM: March 10, 2004

Bill No. 057

CITY OF HAMILTON

BY-LAW NO. 04-057

To Amend Zoning By-law No. 6593 Respecting Lands Located at 2418 Barton Street East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 15 of Report 04-005 of the Planning and Economic Development Committee at its meeting held on the 2nd day of March 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

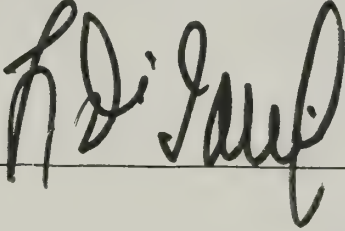
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-103 of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

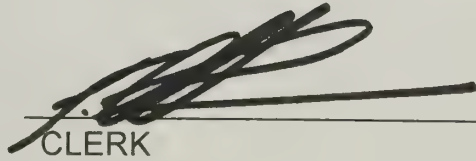
- (a) by changing from "JJ" (Restricted Light Industrial) District to "JJ" – 'H' (Restricted Light Industrial - Holding) District, Modified;
2. The "JJ" (Restricted Light Industrial) District provisions, as contained in Section 16A of Zoning By-law No. 6593, applicable to the lands, the extent boundaries of which are shown on a plan hereto annexed as Schedule "A", are amended to the extent only of the special requirements that:
 - (i) notwithstanding Section 16A.(1) of Zoning By-law No. 6593, the Sale, Service, Storage and Rental of Industrial and Construction Equipment, shall also be permitted;
 - (ii) a planting strip having a minimum width of 3.0m, with a visual barrier not less than 1.2m and not more than 2.0m in height, shall be provided and maintained along the entire southerly lot line, and along the westerly property line where it adjoins a residential district; and,
 - (iii) no vehicular access to the property shall be permitted via Eastgate Court;
3.
 - (a) The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
 - 1) the owner applying for and receiving final approval of a Site Plan Control Application, to the satisfaction of the Manager of Development Planning, Planning and Development Department.
 - (b) The 'H' symbol shall be removed by amendment to this by-law and the development of the lands referred to in section 2 may at such time proceed in accordance with the "JJ" District provisions.
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "JJ" District provisions, subject to the special requirements referred to in section 2.
5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1498.
6. Sheet No. E-103 of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1498.

7. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of March, 2004.



MAYOR



CLERK

ZAR-03-103



This is Schedule "A" to By-Law No. 04-057

Passed the 10th day of March, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-057
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property

2418 Barton Street East
Change in Zoning from "JJ"
(Restricted Light Industrial) District to
"JJ"-H' (Restricted Light Industrial - Holding)
District, Modified

North



Scale

NOT TO SCALE

Date

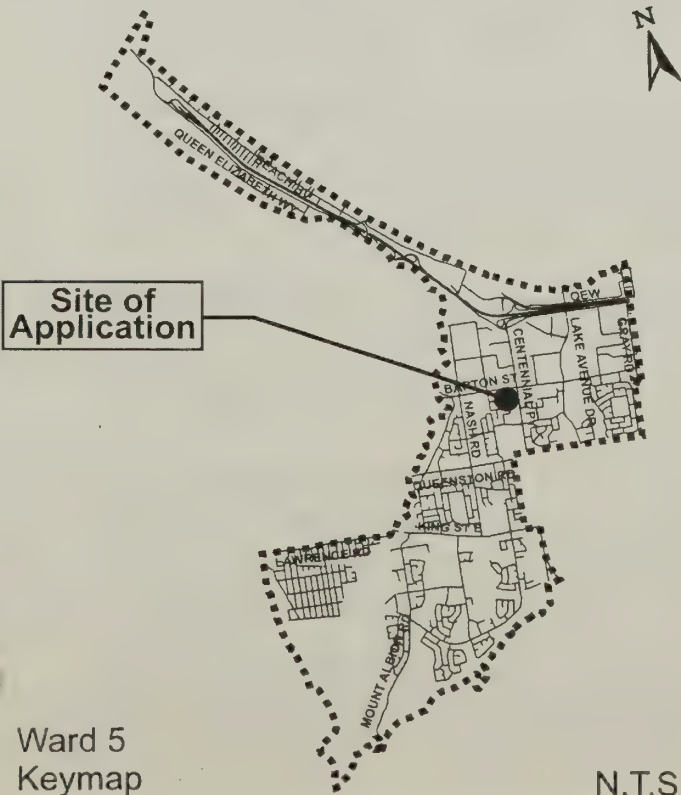
February 11, 2004

Reference File No.

ZAR-03-103

Drawn By

CL



Hamilton

Planning and Development Department Location Map

File Name/Number:
ZAR-03-103

Date:
February 12, 2004

Appendix "A"

Scale:
N.T.S

Technician:
NB



Subject Property

2418 Barton Street East
Change in Zoning from "JJ" (Restricted
Light Industrial) District to "JJ" - 'H'
(Restricted Light Industrial - Holding)
District, Modified

Authority: Item 16, Planning and
Economic Development
Committee
Report 04-005 (PD04061)
CM: March 10, 2004

Bill No. 058

CITY OF HAMILTON

BY-LAW NO. 04-058

**To Amend Zoning By-law No. 6593
Respecting Lands Located on the North Side of Bolzano Drive (Known
Municipally as 1468 Upper Gage Avenue)**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 16 of Report 04-005 of the Planning and Economic Development Committee at its meeting held on the 10th day of March, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

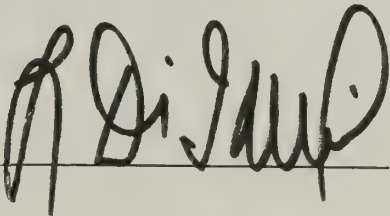
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-38d of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,
 - (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential) District;

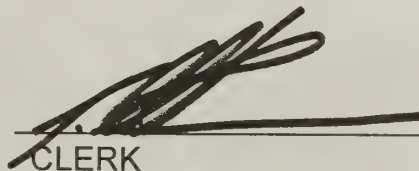
the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".
2. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions.
3. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of March, 2004.

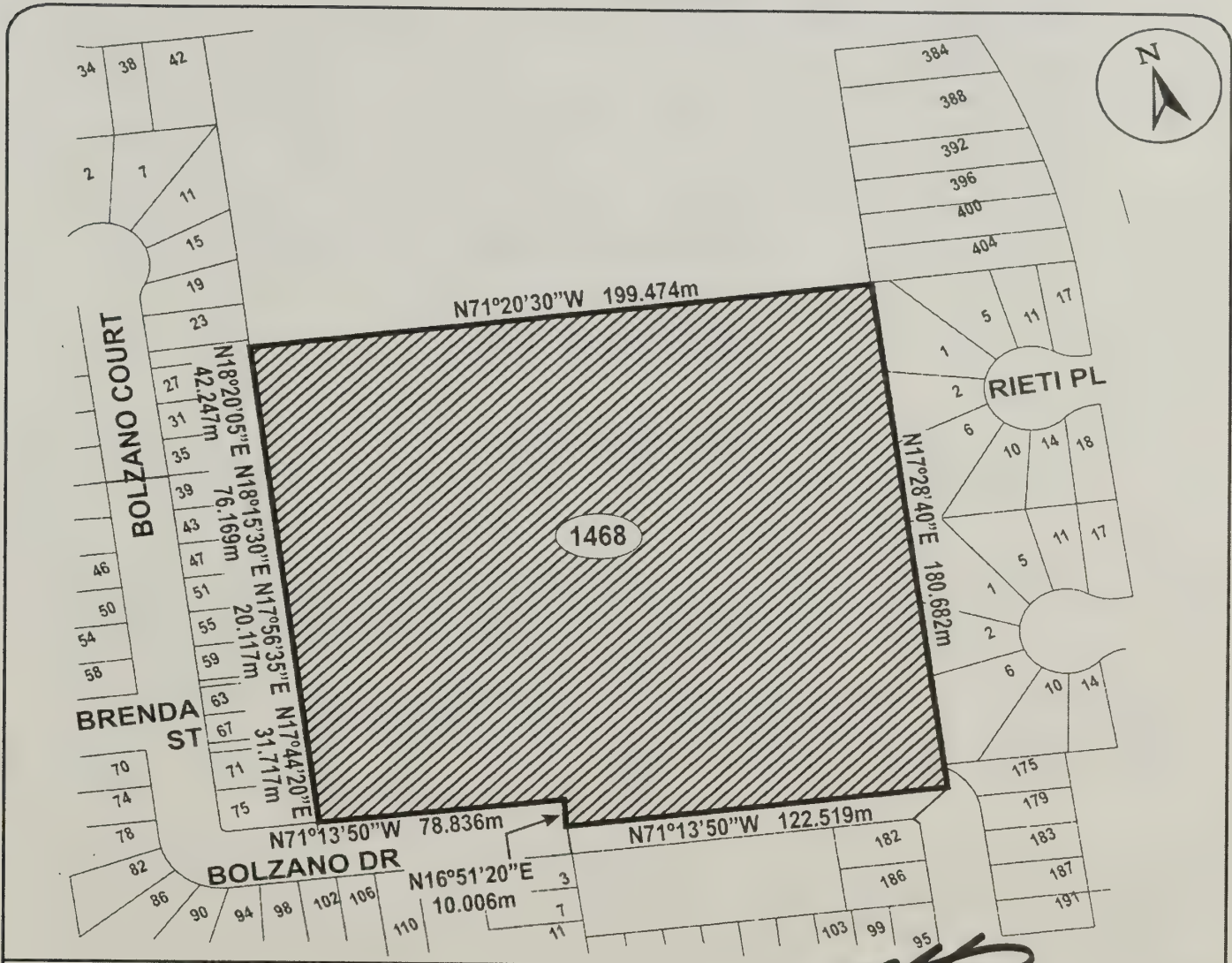
MAYOR



CLERK



ZAC-03-85 / 25T200318



This is Schedule "A" to By-Law No. 04—058

Passed the 10th day of March, 2004

[Signature]
Clerk
[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-058
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

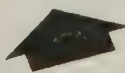
Legend



Subject Property

Lands located on the North side of Bolzano Drive (known Municipally as 1468 Upper Gage Avenue). Change in Zoning from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District

North



Scale

NOT TO SCALE

Date

February 12, 2004

Reference File No.

ZAC-03-85 / 25T200318

Drawn By

CL

CA4 ON HBL A08

B91

MUNICIPAL DOCUMENT

Authority: Item7, Planning and Economic
Development Committee
Report 04-004 (PD04045)
CM: February 25, 2004

Bill No. 059

CITY OF HAMILTON

BY-LAW NO. 04-059

To Amend Zoning By-law No. 6593 Respecting Lands Located at 114 and 128 Limeridge Road East

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 7 of Report 04 -004 of the Planning and Economic Development Committee at its meeting held on the 25th day of February, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. E-9b of the District maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

By-law Respecting 114 and 128 Limeridge Road East

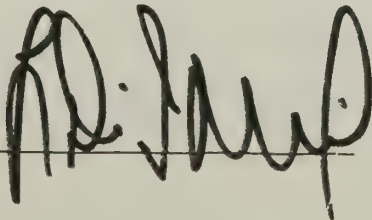
- (a) by changing from "AA" (Agricultural) District to "C" (Urban Protected Residential, etc.) District;

the extent and boundaries of which are shown on a plan hereto annexed as Schedule "A".

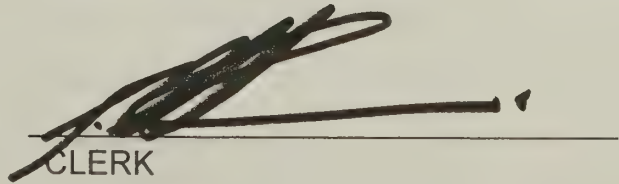
2. The "C" (Urban Protected Residential, etc.) District regulations as contained in Section 9 of Zoning By-law No. 6593, applicable to the subject lands, be modified to the extent only of the following special requirement:
 - (a) that notwithstanding Section 9 (3) (ii) of Zoning By-law No. 6593, a required side yard having a width of not less than 0.60m that abuts the wall of an attached garage shall be permitted, except that in the case of a corner lot, a side yard having a flankage width of not less than 1.2m shall be provided and maintained.
3. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" District provisions, subject to the special requirements referred to in section 2.
4. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-1500.
5. Sheet No. E-9b of the District Maps is amended by marking the lands referred in Section 1 of this by-law as S-1500.
6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 10th day of March, 2004.

MAYOR

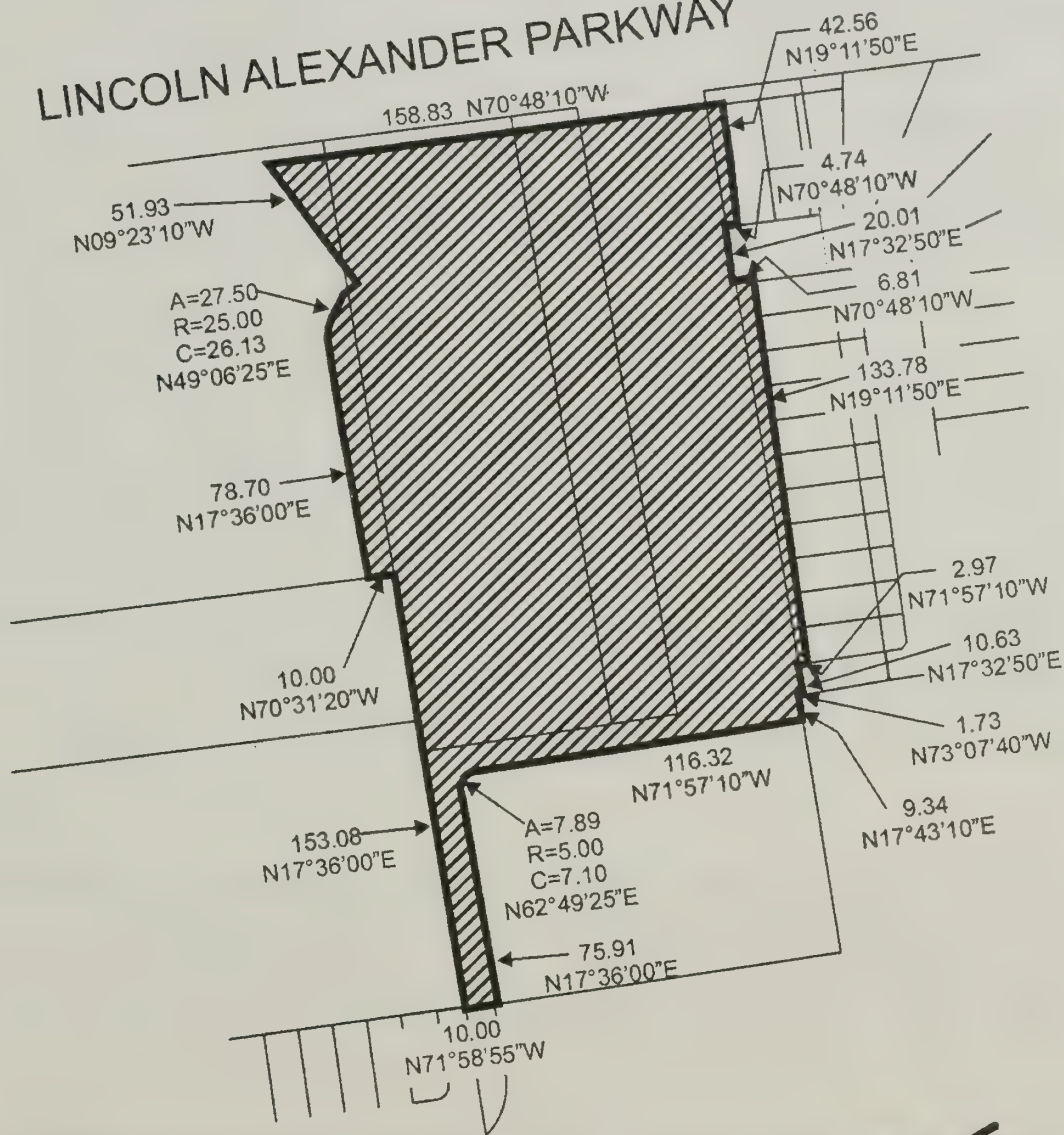


CLERK



ZAC-03-78

LINCOLN ALEXANDER PARKWAY



This is Schedule "A" to By-Law No. 04—059

Passed the 10th day of March, 2004

[Signature]
Clerk

[Signature]
Mayor

Schedule "A"

Map Forming Part of
By-Law No. 04-059
to Amend By-Law No. 6593



Hamilton

Planning and Development Department

Legend



Subject Property

Part of 114 and
128 Limeridge Road East, Hamilton

North



Scale
NOT TO SCALE

Date
March 2, 2004

Reference File No.
ZAC-03-78

Drawn By
CL

CA 4 ON HBL A08
B91

Authority: Item 18, Planning and Economic
Development Committee
Report 04-005
(PD00139(I)/FCS01055(g))
CM: March 10, 2004

Bill No. 060

CITY OF HAMILTON

BY-LAW NO. 04-060

To Adopt an Amendment to The Downtown Hamilton Community Improvement Plan

WHEREAS the Council of the Corporation of the City of Hamilton passed By-law No. 97-140 to adopt the Downtown Hamilton Community Improvement Plan which includes provisions regarding the rehabilitation and renewal of its Community Improvement Project Area;

AND WHEREAS the lands which were the subject of this by-law are, as of January 1, 2001 within the jurisdiction of the City of Hamilton, a new municipality incorporated effective January 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, schedule C);

AND WHEREAS pursuant to the City of Hamilton Act, 1999, the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton Wentworth, and in the place of the former area municipality, The Corporation of the City of Hamilton;

AND WHEREAS the City of Hamilton, as the successor municipality in respect of the said By-law is entitled to the benefit of the said By-law, and any amendments thereto, may further amend the said By-law in accordance with the provisions of Part IV of the Planning Act, R.S.O. 1990, c. P.13, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The provisions of the Enterprise Zone – Municipal Realty Tax Incentive Grant Program section of the Downtown Hamilton Community Improvement Plan contained in By-law 97-140 are hereby amended by deleting the last paragraph (previously added by By-law 02-287) within the program terms and adding the following paragraph, namely:

“Limited Assignment of Tax Grant to First-time Condominium Purchasers

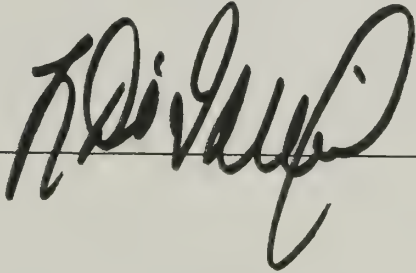
A limited assignment of the tax grant under the terms of the Program may be made from a developer to the initial purchaser of each new condominium unit. The assignment of the grant shall not apply to any subsequent re-sale of any such unit. The assigned grant shall be restricted to the balance of the five (5) year term running from the re-assessment date following the date of the registration of the condominium, and shall be equal to 100% of the municipal realty tax increase resulting from the development or re-development of the property, calculated on a ratable per unit basis. In addition to the one time \$500 application fee, a one time administration fee of \$300 per unit, or such application or administration fee as approved by City Council from time to time, shall be charged in order to qualify for the right of assignment, which fee shall be payable at the time of the registration of the condominium.”

2. Any reference in By-law No. 97-140, as amended, to The Corporation of the City of Hamilton shall mean and refer to the City of Hamilton.
3. The City Clerk is hereby authorized and directed to make application to the Minister of Municipal Affairs,
 - (a) for approval, as required by subsection 28(4) of the Planning Act, of this by-law adopting the said amendment to the Community Improvement Plan;
 - (b) for approval, as required by subsection 28(8) of the Planning Act, to be granted to the City by the Minister to permit the City to offer the grants as provided for in the said Community Improvement Plan contained in By-law 97-140, as amended by this amending By-law, that would otherwise be prohibited by subsection 106(1) of the Municipal Act, 2001.

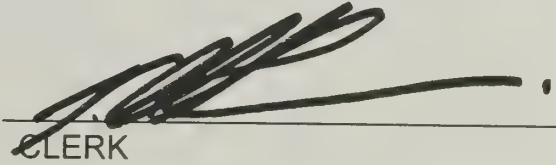
4. This By-law shall come into force and effect on the date of approval hereof by the Minister of Municipal Affairs.

PASSED and ENACTED this 10th day of March, 2004

MAYOR

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CLERK

A large, stylized handwritten signature in black ink, written over a horizontal line.

C44 ON HBL A08

B91

Authority: Item 8, Planning and Economic
Development Committee Report:
04-004 (PD04043)
CM: February 25, 2004

Bill No. 061

CITY OF HAMILTON

MUNICIPAL DOCUMENT

BY-LAW NO. 04-061

To Adopt:

Official Plan Amendment No.18 to the former Regional Municipality of Hamilton-
Wentworth Official Plan.

Respecting:

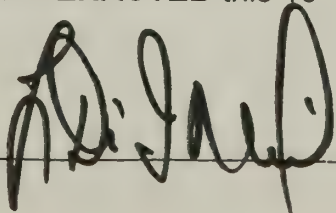
Lands municipally known as 140 Garner Road East, all the lands located between even numbers 4 and 346 Garner Road East (excluding 140 Garner Road East); lands between 12 and 424 Garner Road West; lands located west of Fiddlers Green Road between even numbers 558 and 956 (excluding 658 Fiddlers Green Road); lands located East of Fiddlers Green Road between odd numbers 558 and 965 Fiddlers Green Road; lands located north of Book Road, east of Fiddlers Green Road between odd numbers 53 and 427 Book Road East, in the former Town of Ancaster.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

Amendment No. 18 to the Official Plan of the former Regional Municipality of Hamilton-Wentworth Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.

PASSED AND ENACTED this 10th day of March, 2004.

MAYOR



CLERK



Schedule "1"**Amendment No. 18****to the****Official Plan of the Former Region of Hamilton-Wentworth Official Plan**

The following text together with Schedule "A", Map No. 5 Mineral Aggregate Areas and attached hereto, constitute Official Plan Amendment No. 18.

Purpose:

The purpose of the Amendment is to:

1. Remove the "Gravel and Sand" Designation from lands located at 140 Garner Road East, in the former Town of Ancaster; and
2. Remove the "Gravel and Sand" Designation from all the lands located between even numbers 4-346 Garner Road East (excluding 140 Garner Road East) and between 12 and 424 Garner Road West; lands located west of Fiddlers Green Road between even numbers 558 and 956 (excluding 658 Fiddlers Green Road); lands located East of Fiddlers Green Road between odd numbers 558-965 Fiddlers Green Road, and lands located north of Book Road, east of Fiddlers Green Road between odd numbers 53 and 427 Book Road East, in the former Town of Ancaster.

Location:

The lands affected by this Amendment are:

- Bounded by Garner Road to the North, proposed Highway # 6 to the east, Hydro Corridor to the south and Fiddlers Green Road to the west in the former Town of Ancaster.
- Located south of Garner Road, west and east of Fiddlers Green Road and north of Book Road, in the former Town of Ancaster

Basis:

The intent of the Amendment is to remove the Gravel and Sand designation from the subject lands. The basis for permitting the proposal is as follows:

- The aggregate resource on the subject lands are of low economic value and are not feasible for extraction; and
- Resource extraction on these lands would not be feasible due to the existence of preclusive and /or incompatible uses in and adjacent to the subject lands.

It should be noted that aggregate resources within the existing sand and gravel operation site at 658 Fiddlers Green Road would be economically viable and will not be affected by the removal of the designation from the Regional Official Plan.

Actual Change:

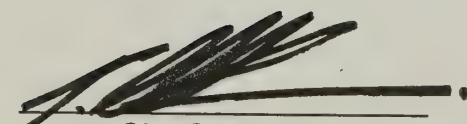
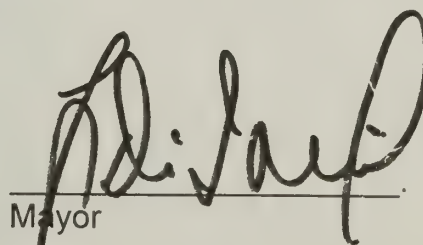
- a) Map No. 5, Mineral Aggregate Areas, of the Regional Official Plan be revised by deleting the Sand and gravel designation from the subject lands, as shown on the attached schedule A of this Amendment.

Implementation:

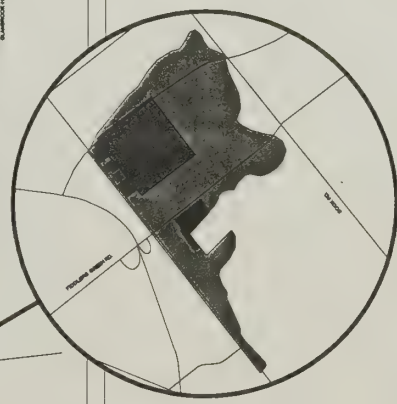
The provisions of Section D – Implementation, of the Official Plan for the former Regional Municipality of Hamilton-Wentworth, will give effect to this amendment.

This is Schedule "1" to By-law No. 04-061 passed on the 10th day of March, 2004.

The
City of Hamilton


City Clerk
Mayor

Legend		
	Lands where "Gravel & Sand" Designation is to be removed	Reference File No. ROPA No. 18(R)
	Lands where "Gravel & Sand" Designation is to be removed	
	Lands where "Gravel & Sand" Designation is to remain	
Date: February 24, 2003	Revised By: A.M.	



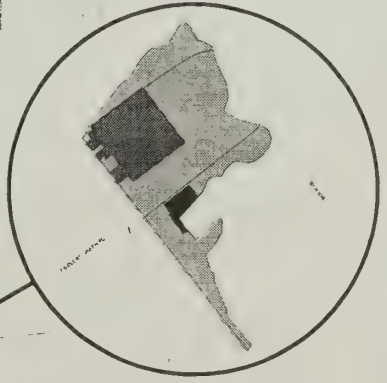
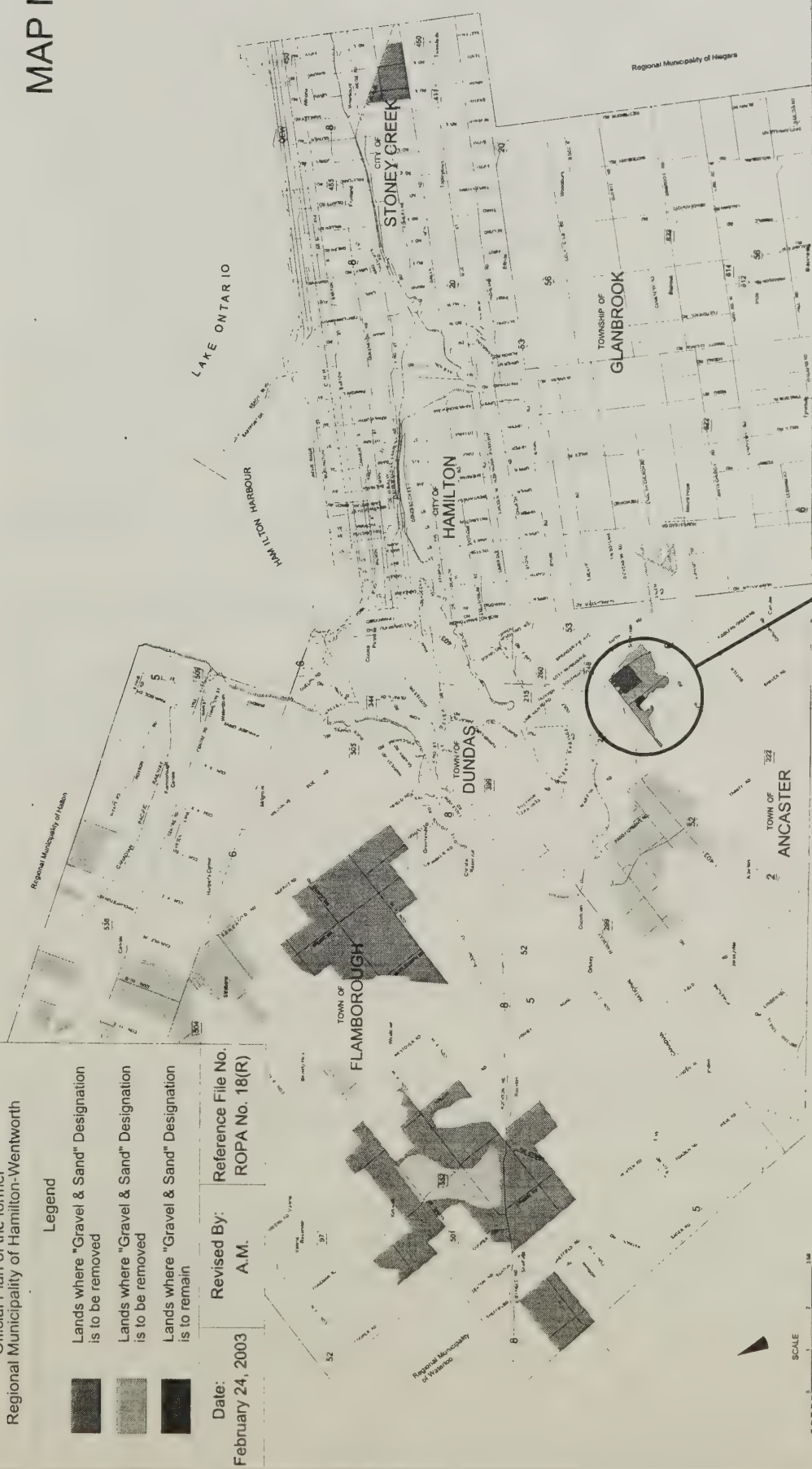
SCHEDULE "A"
MAP No. 5

Schedule A
Amendment No. 18
to the
Official Plan of the former
Regional Municipality of Hamilton-Wentworth

Legend

-  Lands where "Gravel & Sand" Designation is to be removed
-  Lands where "Gravel & Sand" Designation is to be removed
-  Lands where "Gravel & Sand" Designation is to remain

Date: February 24, 2003
Revised By: A.M.
Reference File No. ROPA No. 18(R)



LEGEND

-  GRAVEL & SAND
-  STONE AGGREGATES

MINERAL AGGREGATE
AREAS

THE REGIONAL MUNICIPALITY OF HAMILTON-WENTWORTH
Regional Environment Department

C44 ON HBL A08

B91

MUNICIPAL DOCUMENT

Authority: Item 12, Committee of the Whole
Report 01-033 (PD01184)
CM: October 16, 2001

Bill No. 062

City of Hamilton

BY-LAW NO. 04-062

Respecting:

REMOVAL OF PART-LOT CONTROL

WITHIN PART OF BLOCKS 2 AND 3,
"STONERIDGE", - REGISTERED PLAN 62M-983

WHEREAS the Planning Act, (R.S.O. 1990, Chapter P.13 sec.50 (5) as amended) establishes part-lot control on land within registered plans of subdivision;

AND WHEREAS the Planning Act, (sec.50 (7) states, in part, as follows:

(7) **Designation of lands not subject to Part-Lot Control.** -- Despite subsection (5), the council of a local municipality may by by-law provide that subsection (5) does not apply to land that is within such registered plan or plans of subdivision or parts of them as are designated in the by-law.

(7.1) **Requirement for approval of by-law.** -- A by-law passed under subsection (7) does not take effect until it has been approved by the appropriate approval authority for the purpose of sections 51 and 51.1 in respect of the land covered by the by-law.

(7.2) **Exemption from approval.** -- An approval under subsection (7.1) is not required if the council that passes a by-law under subsection (7) is authorized to approve plans of subdivision under section 51.

(7.3) **Expiration of by-law.** -- A by-law passed under subsection (7) may provide that the by-law expires at the expiration of the time period specified in the by-law and the by-law expires at that time.

(7.4) **Extension of time period.** -- The council of a local municipality may, at any time before the expiration of a by-law under subsection (7), amend the by-law to extend the time period specified for the expiration of the by-law and an approval under subsection (7.1) is not required.

(7.5) **Amendment or repeal.** -- The council of a local municipality may, without an approval under subsection (7.1), repeal or amend a by-law passed under subsection (7) to delete part of the land described in it and, when the requirements of subsection (28) have been complied with, subsection (5) applies to the land affected by the repeal or amendment.

AND WHEREAS the land which is the subject of this By-law was, as of January 1st, 2001 — placed within the jurisdiction of the City of Hamilton, a new municipality incorporated as of January 1, 2001 by the City of Hamilton Act, 1999 (S.O. 1999, Chapter 14, Schedule C);

AND WHEREAS the City of Hamilton stands in the place of the former regional municipality, The Regional Municipality of Hamilton-Wentworth and in the place of the former area municipalities, namely The Corporation of the Town of Ancaster;

AND WHEREAS the authority to approve this by-law enacted under subsection 7 of Section 50 of the Planning Act is vested in the City of Hamilton, as contemplated by section 50 (7.2) of the Act, because the City is, pursuant to section 51(6) of the Planning Act, the approval authority for plans of subdivision;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating sixteen (16) residential lots for their development as street townhouse residential units, described as Parts 1-16 (inclusive) on Reference Plan 62R-16725 shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

Part of Blocks 2 and 3, Registered Plan 62M-983, in the Former Town of Ancaster

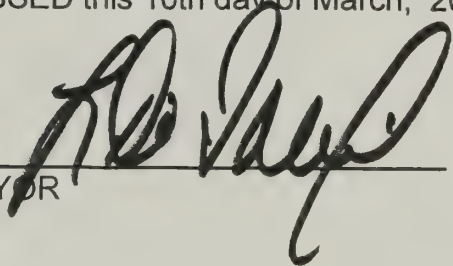
2. Subsection 5 of Section 50 of the Planning Act, for the purpose of creating eight (8) residential lots for their development as street townhouse residential units, described as Parts 1-8 (inclusive) on Reference Plan 62R-16724 shall not apply to lands within the portions of the registered plan of subdivision that are designated as follows:

Part of Block 3, Registered Plan 62M-983, in the Former Town of Ancaster

3. This by-law shall be registered on title to the said land and shall come into force and effect on the date of such registration.

4. This By-law shall cease, expire and be of no further effect on March 10th, 2006.

PASSED this 10th day of March, 2004.



MAYOR



CITY CLERK

2000963 Ontario Inc., o/a Marz Homes
PLC-04-01

CA4 ON HBL A08
B91

Bill No. 063

THE CITY OF HAMILTON

BY-LAW NO. 04- 063

To Confirm the Proceedings of City Council at its meeting held on March 10, 2004

THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:

1. The Action of City Council at its meeting held on the 10th day of March, 2004 in respect of each recommendation contained in,

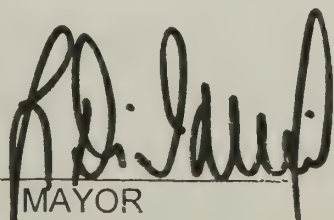
Public Works, Infrastructure and Environment Committee, Report 04-007,
March 1, 2004,

Planning and Economic Development Committee, Report 04-005, March 2, 2004,
Corporate Administration Committee Report 04-006, March 3, 2004,
Strategic Planning and Budgets Committee, Report 04-004, March 3, 2004,
Social and Public Health Services Committee, Report 04-004, March 9, 2004,
Licensing Committee, Report 04-003, February 25, 2004 and
Selection Committee Report 04-002(a), March 4, 2004

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 10th day of March, 2004


MAYOR


CITY CLERK

CA 4 ON HBL A08

B91

Authority: Item 13, Planning and Economic
Development Committee
Report-04-001 (PD04011)
CM: January 14, 2004

Bill No. 064

City of Hamilton

BY-LAW NO. 04-064

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 140 HATT STREET, FORMER TOWN
OF DUNDAS, CITY OF HAMILTON**

As Property of:

CULTURAL HERITAGE VALUE

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 140 Hatt Street, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of cultural heritage value.

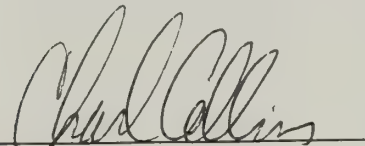
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.

3. The City Clerk is hereby authorized and directed,

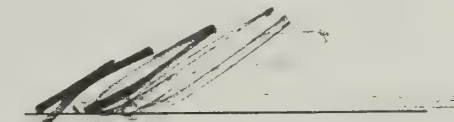
- (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;

- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 24th day of March, 2004.



Mayor



City Clerk

Schedule "A"
To
By-Law No. 04-064

140 Hatt Street
Former Town of Dundas
Hamilton, Ontario

PT LT 16, Registrar's Compiled Plan 1442, Part 1, 62R10656; Dundas City of
Hamilton.

PIN (Property Identification Number) – 17481-0267 (LT)

Schedule "B"
To By-law No. 04-064

140 Hatt Street
Former Town of Dundas

REASONS FOR DESIGNATION

Cultural Heritage Value

140 Hatt Street possesses cultural heritage value, expressed in historical associations with the early development of Dundas and its association with William Kyle, owner and occupant, who worked as a skilled patternmaker for the Gartshore Foundry. The residence located on this property also has architectural value as an example of a one-and-a-half storey, vernacular interpretation of the Georgian architectural style. The house is also a rare surviving example of Pre-Confederation brick construction.

The Reasons for Designation apply to all elevations and the roof of the residence including all façades, entranceways, windows and chimneys, together with construction materials of brick, wood and glazing, building techniques, and specific interior features as follows:

Front (North) Façade:

- Symmetrical facade of five bays;
- Roof and roofline;
- six-over-six windows together with the openings, wood framing, sills, voussoirs, muntins and glazing;
- red brick laid in a Flemish bond; and,
- box cornice and moulded wood fascia.

Side (West) Elevation:

- Side gable together with brick parapets and double brick chimneys;
- window openings together with wood sills and brick voussoirs; and,
- red brick laid in a Common bond.

Rear (South) Elevation:

- Window openings together with wood sills and brick voussoirs; and,
- red brick laid in a Common bond.

Side (East) Elevation:

- Side gable together with brick parapets and double brick chimneys; and,
- red brick laid in a Common bond.

Interior:

- Fireplaces together with wood mantles, hearths and ring for hanging cooking pots;
- built-in cupboards with wood panelled doors in the living room;
- wide plank pine flooring on the first and second floor;
- wood doors on the first and second floor; and,
- closet staircase on the first floor between the living room and kitchen.

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B91

MUNICIPAL ATTACHMENT

Authority: Item 15, Planning and Economic
Development Committee
Report-04-001 (PD04013)
CM: January 14, 2004

Bill No. 065

City of Hamilton

BY-LAW NO. 04-065

To Designate:

**LAND LOCATED AT MUNICIPAL NO. 245 GARNER ROAD WEST, FORMER
TOWN OF ANCASTER, CITY OF HAMILTON**

As Property of:

CULTURAL HERITAGE VALUE

WHEREAS the Council of the City of Hamilton did give notice of its intention to designate the property mentioned in section 1 of this by-law in accordance with subsection 29(3) of the Ontario Heritage Act, R.S.O. 1990, Chapter O.18;

AND WHEREAS no notice of objection was served on the City Clerk as required by subsection 29(5) of the said Act;

AND WHEREAS it is desired to designate the property mentioned in section 1 of this by-law in accordance with clause 29(6)(a) of the said Act.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The property located at Municipal No. 245 Garner Road West, Hamilton, Ontario and more particularly described in Schedule "A" hereto annexed and forming part of this by-law, is hereby designated as property of cultural heritage value.
2. The Corporate Counsel is hereby authorized and directed to cause a copy of this by-law, together with reasons for the designation set out in Schedule "B" hereto annexed and forming part of this by-law, to be registered against the property affected in the proper registry office.
3. The City Clerk is hereby authorized and directed,
 - (i) to cause a copy of this by-law, together with reasons for the designation, to be served on The Ontario Heritage Foundation by personal service or by registered mail;

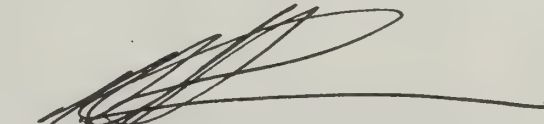
To Designate Land Located at Municipal No. 245 Garner Road West, Former 2
Town of Ancaster, City of Hamilton as Property of Cultural Heritage Value.

- (ii) to publish a notice of this by-law once in a newspaper having general circulation in the City of Hamilton.

PASSED and enacted this 24th day of March, 2004.



Mayor


City Clerk

Schedule "A"
To
By-Law No. 04-065

245 Garner Road West
Former Town of Ancaster
Hamilton, Ontario

PT LT 40 CON 3 Ancaster, Parts 1 – 14 ON 62R16585; Ancaster City of
Hamilton, S/T Easement over PTS 6 & 12 ON 62R16585 as in LT502974, S/T
Easement over PTS 7, 8, & 10 ON 62R16585 as in LT502975, S/T Easement
over PTS 2, 3, 5, 6, 8, 9 & 13 ON 62R16585 as in WE115540

PIN (Property Identification Number) – 17415-0828 (LT)

Schedule "B"
To By-law No. 04-065

245 Garner Road West
Former Town of Ancaster

REASONS FOR DESIGNATION

Cultural Heritage Value

245 Garner Road West possesses cultural heritage value, expressed in historical associations with the Rymal and Marshall families and is associated with the early agricultural development of Ancaster. The former farmhouse located on this property is of architectural value as an example of a two-storey, vernacular interpretation of the Italianate architectural style. The former farmhouse is also a rare surviving example of Pre-Confederation stone construction.

The Reasons for Designation apply to all elevations and the roof of the former farmhouse including all façades, entranceways, windows and chimneys, together with construction materials of stone, wood and glazing, building techniques, specific interior features and landscape features as follows:

Front (North) Façade:

- Symmetrical arrangement of three bays with central projecting bay;
- roof and roofline together with wood fascia and eaves with wood brackets;
- frontispiece together with moderately pitched gable roof with return eaves, wood panelled door with hardware, six-light transom and tri-pane sidelights;
- all six-over-six windows together with the openings, wood frames, lintels, sills, muntins and glazing;
- arched window on the second floor together with the opening, wood frame, voussoirs, sill, muntins and glazing; and,
- dressed stone walls with raised mortar joints.

Side (West) Elevation:

- Roof and roofline together with wood fascia and eaves with wood brackets;
- all six-over-six windows on the second floor together and one-over-one sash windows on the first floor with the openings, wood frames, lintels, sills, muntins and glazing;
- window openings on the first floor together with lintels and sills; and,
- two-storey rear addition together with roof, all windows and stucco exterior.

Rear (South) Elevation:

- Roof and roofline together with wood fascia and eaves with wood brackets;
- two-storey enclosed verandah together with roof, all windows and stucco exterior;
- second storey window opening together with lintel and sill; and,
- randomly coursed stone wall with raised mortar joints.

Side (East) Elevation:

- Roof and roofline together with wood fascia and eaves with wood brackets;
- six-over-six window on the second floor together with the opening, wood frame, lintel, sill, muntins and glazing;
- window openings on the first and second floors together with lintels and sills; and,
- randomly coursed stone wall with raised mortar joints.

Interior:

- Front foyer together with door surrounds and wood doors with hardware;
- main staircase together with handrail and balustrade; and,
- wood doors on the first and second floor together with surrounds and hardware.

Landscape Features:

- Front and side yards with grassy open space;
- existing grades and topography;
- driveway leading to west side of the house; and,
- coniferous tree in the front yard.

The attached garage **is not to be included** in the Reasons for Designation.

CA4 ON HBL A08
B91

MUNICIPAL DOCUMENT

Authority: Item 3, Corporate Administration
Committee Report 04-005
CM: February 25, 2004

Bill No. 066

CITY OF HAMILTON

BY-LAW NO. 04-066

A By-law to authorize the issue of Debentures in the principal amount of \$50,000,000 for the purposes of the City of Hamilton herein referred to.

WHEREAS the Council of the City of Hamilton (the "City") has authorized the works described in Schedule "A" attached hereto;

AND WHEREAS it is now deemed necessary to raise the money required to pay part of the cost of the said works by the issue and sale of serial debentures in aggregate principal amount of \$50,000,000 (the "Debentures") bearing interest at the rates hereinafter set out and maturing in varying instalments of principal over a period of 15 years which is the amount of debt intended to be created by this By-law.

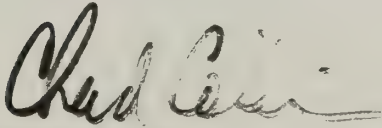
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. The borrowing of \$50,000,000 for the purposes of the City set out in Schedule "A" and the issue of debentures therefor on the credit of the City is hereby authorized.
2. The Debentures shall be dated March 31, 2004, shall be payable as to principal and interest in lawful money of Canada, shall be initially issued in the form of one or more fully registered global debentures registered in the name of CDS & CO. as nominee of The Canadian Depository for Securities Limited ("CDS") and be held by it, shall be sealed and be signed as provided by the Municipal Act.
3. The Debentures shall mature as to varying amounts of principal on March 31 in each of the years 2005 to 2019, both inclusive, shall bear interest at the rate per annum set out opposite each such year as set out in Schedule "B", such interest being payable semi-annually on March 31 and September 30 in each year of the currency of the Debentures and the respective amounts of principal and interest payable in each year shall be as set out in Schedule "B".
4. In limited circumstances global debentures shall be exchangeable, in whole but not in part, for certificated debentures in definitive fully registered form in denominations of \$1,000 and any integral multiples thereof upon surrender of the global debentures to the Treasurer of the City. Definitive debentures shall have the same benefits and be subject to the same terms and conditions as the global debentures (except insofar as they specifically relate to the global debentures), shall be registered in such names and in such denominations as CDS shall direct and shall be delivered as directed by the persons in whose names such definitive debentures are to be registered. The definitive debentures shall be in fully

registered form, payable as to principal at any branch in Canada of the bank designated therein with provision for payment of interest by cheque sent by post to the registered address of the registered holder or if authorized in writing by electronic transfer, and upon at least 30 days written notice to the Treasurer of the City may be exchanged at the office of the Treasurer of the City without charge by the City, for a debenture or debentures of the City of an equal aggregate principal amount in fully registered form in the denominations of \$1,000 and any integral multiple thereof, bearing the same rate of interest and maturing on the same date as, and carrying all unmatured interest obligations of the debenture or debentures so exchanged.

5. For the payment of the principal of and interest on the Debentures as and when the same respectively become due and payable there shall be levied and raised in each year of the currency of the Debentures by a special rate sufficient therefor over and above all other rates on the rateable property in the City, at the same time and in the same manner as other rates, the sums of principal and interest falling due on the Debentures in such year as set out in the last column of Schedule "B", provided that no greater rate shall be levied in any year for such purpose than is required after taking into account moneys available for such purpose from any other source.
6. Schedules "A" and "B" attached hereto are hereby declared to be and to form part of this By-law.

PASSED AND ENACTED this 24th day of March, 2004.



Mayor



Clerk

CITY OF HAMILTON

SCHEDULE "A" TO BY-LAW NO. 04-066

(1)	(2)	(3)	(4)	(5)
PROJECT	TERM IN YEARS	AUTHORIZING RESOLUTION	DEBENTURES AUTHORIZED \$	DEBENTURES TO BE ISSUED \$
Waste Management		FCS04026, Item 5.3		
Rennie St Former Landfill - Remediation	15	Corporate Administration Committee	1,108,000	1,108,000
Review Re-Assess West Hamilton Closed Landfill Site	15	Report 04-005, Approved by Council	205,103	205,103
2000 Annual - SWARU Capital Maintenance	15	February 25, 2004	477,885	477,885
SWARU - Flyash Stabilization	15	"	175,312	175,312
SWARU - Bottom Ash Containment	15	"	516,512	516,512
Brampton Closed Landfill Site - Remediation	15	"	26,643	26,643
Waste Management Abatement Programs - Landfills	15	"	22,000	22,000
Comprehensive Municipal Pollution Prevention Program	15	"	96,730	96,730
Security Fence-Former Landfill Sites	15	"	54,390	54,390
Glanbrook - Repair Leachate System	15	"	3,108,270	3,108,270
Ancaster - Install Leachate Collection System	15	"	2,626,620	2,626,620
Computer System for Waste Facilities	15	"	99,720	99,720
Former Edgewood Landfill Site - Rehabilitation	15	"	679,050	679,050
Former Binbrook Landfill Site-Rehabilitation	15	"	44,580	44,580
Former Stoney Creek Landfill Site-Rehabilitation	15	"	1,558,750	1,558,750
SWARU - Spray Cooler Tower Repair	15	"	739,070	739,070
Transfer Station Upgrades	15	"	157,085	157,085
Glanbrook Landfill Site Leachate Improvements	15	"	757,312	757,312
Expand & Improve Transfer Stations	15	"	41,914	41,914
Roads		FCS04026, Item 5.3		
2000 Annual Resurfacing Program	15	Corporate Administration Committee	5,545,888	5,545,888
Main -Cootes - 403 to Olympic	15	Report 04-005, Approved by Council	1,030,000	1,030,000
Rymal - Springside to Upper Gage	15	February 25, 2004	246,000	246,000
2000 Downtown Initiatives	15	"	441,000	441,000
2000 Annual New Traffic Signal Installation	15	"	481,040	481,040
Fifty Rd & Hwy 8 - Culvert Reconstruction	15	"	260,000	260,000
Trinity Church-Trimble	15	"	643,370	643,370
2002 Annual Semi Barrier Curb Replacement	15	"	125,000	125,000
Perimeter Rd - Property Maintenance	15	"	335,400	335,400
South Mountain Arterial Construction	15	"	953,793	953,793
Barton - Lake to Grays	15	"	683,200	683,200
Contaminated Sites Manual Development	15	"	70,960	70,960
Sydenham Rd Bridge (#3003) Repairs	15	"	439,000	439,000

1998 Annual Streetscaping Program	15	"	157,400	157,400
1998 Downtown Streetscaping Improvements	15	"	643,100	643,100
Hwy 5 - Hwy 6 to Hamilton	15	"	1,357,037	1,357,037
1999 Downtown Initiatives	15	"	2,122,000	2,122,000
1999 Downtown Hamilton Improvements	15	"	1,854,000	1,854,000
2002 Annual Roadway & Sidewalk Reconstruction	15	"	1,977,456	1,977,456
<u>Culture & Recreation</u>		FCS04026, Item 5.3		
Dundas Community Centre	15	Corporate Administration Committee	1,129,410	1,129,410
Riverdale Recreation & Seniors Centre	15	Report 04-005, Approved by Council	4,438,000	4,438,000
Asset Management - Recreation Programs	15	February 25, 2004	281,000	281,000
<u>Fire</u>		FCS04026, Item 5.3		
Diesel Fume Removal	15	Corporate Administration Committee	250,000	250,000
Furnishings & Workstations for New Fire Stations	15	Report 04-005, Approved by Council	150,000	150,000
		February 25, 2004		
<u>Police</u>		FCS04026, Item 5.3		
Mountain Police Stations - Design & Construction	15	Corporate Administration Committee	10,910,000	10,910,000
		Report 04-005, Approved by Council		
		February 25, 2004		
<u>Facilities</u>		FCS04026, Item 5.3		
Community Buildings-Roof Management	15	Corporate Administration Committee	81,000	81,000
2000 Roof Management-City Facilities	15	Report 04-005, Approved by Council	188,000	188,000
West Ave School-Retrofit Heating System	15	February 25, 2004	50,000	50,000
District Heating - City Contribution	15	"	340,000	340,000
<u>Storm Sewers</u>		FCS04026, Item 5.3		
Greenhill Ave CSO Tank	15	Corporate Administration Committee	322,000	322,000
		Report 04-005, Approved by Council		
		February 25, 2004		
Grand Total			50,000,000	50,000,000

CITY OF HAMILTON
SCHEDULE "B" TO BY-LAW NO. 04-066

Year	Interest Rate (%)	Principal (\$) March 31	Interest (\$) March 31	Interest (\$) September 30	Total Annual Payment (\$)
2004	2.15	0.00	0.00	1,047,819.25	1,047,819.25
2005	2.15	2,317,000.00	1,047,819.25	1,022,911.50	4,387,730.75
2006	2.50	2,433,000.00	1,022,911.50	992,499.00	4,448,410.50
2007	2.90	2,555,000.00	992,499.00	955,451.50	4,502,950.50
2008	3.25	2,682,000.00	955,451.50	911,869.00	4,549,320.50
2009	3.60	2,816,000.00	911,869.00	861,181.00	4,589,050.00
2010	3.90	2,957,000.00	861,181.00	803,519.50	4,621,700.50
2011	4.15	3,105,000.00	803,519.50	739,090.75	4,647,610.25
2012	4.35	3,261,000.00	739,090.75	668,164.00	4,668,254.75
2013	4.50	3,423,000.00	668,164.00	591,146.50	4,682,310.50
2014	4.65	3,595,000.00	591,146.50	507,562.75	4,693,709.25
2015	4.70	3,774,000.00	507,562.75	418,873.75	4,700,436.50
2016	4.80	3,963,000.00	418,873.75	323,761.75	4,705,635.50
2017	4.85	4,161,000.00	323,761.75	222,857.50	4,707,619.25
2018	4.95	4,370,000.00	222,857.50	114,700.00	4,707,557.50
2019	5.00	<u>4,588,000.00</u>	<u>114,700.00</u>	<u>0.00</u>	<u>4,702,700.00</u>
TOTAL		<u>\$50,000,000.00</u>	<u>\$10,181,407.75</u>	<u>\$10,181,407.75</u>	<u>\$70,362,815.50</u>

CA4 ON HBC A08
B91

Authority: Item 14, Committee of the Whole
Report 01-003 (FCS01007)
CM: March 24, 2004

Bill No. 067

CITY OF HAMILTON

BY-LAW NO. 04-067

To Amend By-law No. 01-218, as amended, Being a By-law To Regulate On-Street Parking

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-218 to regulate on-street parking;

AND WHEREAS it is necessary to amend By-law No. 01-218, as amended.

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Schedule 5 (Parking Meters) of By-law No. 01-218, as amended, is hereby further amended by deleting from Subsection 1(B) of Section "E" thereof (3 hours at \$1.00 per hour) the following item, namely:

"Robinson Both Park to MacNab"

and by adding to Subsection 1(B) of Section "E" thereof (3 hours at \$1.00 per hour) the following item, namely:

"Robinson North Park to MacNab"

and by deleting from Subsection 3(b) of Section "E" thereof (1 hour at \$1.00 per hour) the following item, namely:

"Mulberry South James to 95 ft. west"

and by adding to Subsection 3(a) of Section "E" thereof (1 hour at 50¢ per hour) the following item, namely:

"Mulberry South James to 30.8m westerly"

2. Schedule 6 (Time Limit Parking) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Connaught	West	King to Cannon	2 hr	Anytime	Anyday
Madison	Both	Wilson to Cannon	1 hr	7 am – 7 pm	Mon - Sat"

and by adding to Section "E" thereof the following items, namely:

"Freeman	North	James to Mountwood	1 hr	Anytime	Anyday
James	East	Freeman to 60m northerly	1 hr	Anytime	Anyday
Madison	Both	Wilson to Cannon	1 hr	7 am – 6 pm	Mon – Sat
Mulberry	Both	MacNab to 72.5m easterly	2 hr	8 am – 5 pm	Mon – Fri
Queen	East	Napier to Peter	3 hr	8 am – 4 pm	Mon – Fri
Robinson	South	Park to MacNab	2 hr	8 am – 6 pm	Mon – Fri"

3. Schedule 8 (No Parking Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "A" thereof the following items, namely:

"Old Mohawk Rd.	North	Mohawk Rd. to 87.8m westerly	Anytime
Old Mohawk Rd.	North	from 139.6m west of Mohawk Rd. to the westerly end	Anytime
Old Mohawk Rd.	South	Mohawk Rd. to 174m westerly	Anytime
Old Mohawk Rd.	South	from 388m west of Mohawk Rd. to the westerly end	Anytime
Old Mohawk Rd.	South	from 174m west of Mohawk Rd. to 214m westerly	3:00 a.m. to 7:00 a.m." Nov. 15 th to Apr. 15 th

and by deleting from Section "E" thereof the following items, namely:

"Hess	West	50 feet north of King to 39 feet northerly	Anytime
Mulberry	North	James to 100 feet west	Anytime"

and by adding to Section "E" thereof the following items, namely:

"Cline	North	from the eastern intersection with King to 89.3m westerly	7:00 a.m. to 6:00 p.m. Monday to Friday
Queen	East	from 30.5m south of Markland to 27.34m north of Markland	Anytime
Queen	East	Aberdeen to Amelia	Anytime
Queen	East	King to Main	Anytime
Queen	East	Peter to 22.9m north	Anytime
Queen	East	Charlton to 15.2m northerly	Anytime
Queen	West	Barton to 22.9m southerly	Anytime
Queen	West	from 36.6m south of Herkimer to Amelia	Anytime
Queen	West	Main to Herkimer	Anytime
Queen	West	York to King	Anytime
Queen	West	from 15.2m south of Barton to 9.8m southerly	Anytime
Queen	West	from 43.6m south of Little Grieg to 42.7m southerly	Anytime"

and by deleting from Section "G" thereof the following items, namely:

"Old Mohawk Road	North	commencing at Mohawk Road and extending westerly therefrom to the west end	Anytime
Old Mohawk Road	South	commencing at Mohawk Road and extending 174 metres westerly therefrom	Anytime

Old Mohawk South Road	commencing 388 metres west of Mohawk Road and extending westerly therefrom to the west end	Anytime
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Old Mohawk South	commencing 174 metres west of Mohawk Road and extending 214 metres westerly therefrom	3:00 a.m. to 7:00 a.m." Nov. 15 th to Apr. 15 th
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and by deleting from Section "G,(I)" thereof the following items, namely:

"Queen	East	Napier to Peter	Anytime
Queen	East	100 ft. south of Markland to 90 ft. north of Markland	Anytime
Queen	East	Aberdeen to Amelia	Anytime
Queen	East	King to Main	Anytime
Queen	East	Peter to 75 ft. north	Anytime
Queen	East	Charlton to 50 ft. northerly	Anytime
Queen	West	Barton to 75 ft. south of Barton	Anytime
Queen	West	120 ft. south of Herkimer to Amelia	Anytime
Queen	West	Main to Herkimer	Anytime
Queen	West	York to King	Anytime
Queen	West	50 ft. south of Barton to 32 ft. southerly	Anytime
Queen	West	143 ft. south of Little Grieg to 140 ft. southerly	Anytime"

and by adding to Section "G,(II)" thereof the following items, namely:

"Mulberry	South	MacNab to 35.7m easterly	7:00 a.m. to 6:00 p.m. Monday to Saturday
Mulberry	South	from 30.8m west of James to 5.5m westerly	Anytime"

- | | | | |
|------------|-------|--|----------|
| "Fairfield | West | from 27m south of Vansitmart to 5.5m southerly | Anytime |
| Hess | West | Napier to 22.9m north of Market | Anytime |
| Napier | South | from 46m west of Caroline to 18.6m westerly | Anytime |
| Napier | South | Hess to 39.3m easterly | Anytime |
| Oak | West | from 86.9m south of Barton to 7.3m southerly | Anytime" |

6. Schedule 13 (No Stopping Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Mulberry South from 114 ft. west of James to 102 ft. westerly Anytime"

and by adding to Section "E" thereof the following Items, namely:

"Blake	West	Main to 35m southerly	Anytime
Cline	North	from the eastern intersection with King to 32.3m westerly	Anytime
James	East	from 60m north of Freeman to St. Joseph's	Anytime
Mulberry	North	James to 51.2m easterly	Anytime
Mulberry	South	from 36.3m west of James to 32m westerly	Anytime
Queen	East	Peter to 20m southerly	Anytime
Queen	East	Market to 39m northerly	Anytime"

7. Schedule 14 (Wheelchair Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item namely:

"Tuxedo West from 32.6m north of Roxborough 8:00 a.m. to 4:00 p.m."
to 7.9m northerly Monday to Saturday

and by adding to Section "E" thereof the following item, namely:

"Tuxedo West from 32.6m south of Roxborough 8:00 a.m. to 4:00 p.m."
to 7.9m southerly Monday to Saturday

and by deleting from Section "F" thereof the following item, namely:

"King North from 46.6m east of Second to 9.2m easterly Anytime"

and by adding to Section "F" thereof the following item, namely:

"King North from 51.4m east of Second to 9.2m easterly Anytime"

8. Schedule 15 (Commercial Vehicle Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Mulberry South 34 feet 30 feet east of MacNab 7:00 A.M. – 6:00 P.M."

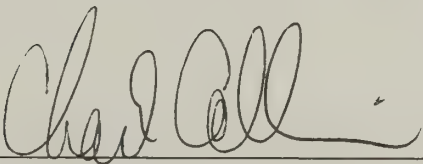
9. Schedule 20 (School Bus Loading Zones) of By-law No. 01-218, as amended, is hereby further amended by adding to Section "E" thereof the following item, namely:

"Blake West from 35m south of Main to 8:00 a.m. to 5:00 p.m."
20.7m southerly Monday to Friday

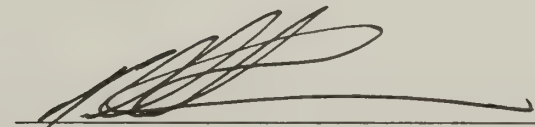
10. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-218, including all Schedules thereto, as amended, is hereby confirmed unchanged.

11. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 24th day of March , 2004.



MAYOR



CLERK

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B91

MUNICIPAL DOCUMENT
Authority: Item 16, Planning and
Economic Development
Committee
Report 04-006 (PD04070)
CM: March 24, 2004

Bill No.068

CITY OF HAMILTON

BY-LAW NO. 04-068

**To Amend Zoning By-law No. 06593
Respecting Lands Located at 937 Upper Paradise Road**

WHEREAS the City of Hamilton Act, 1999, Statutes of Ontario, 1999 Chap. 14, Sch. C. did incorporate, as of January 1, 2001, the municipality "City of Hamilton";

AND WHEREAS the City of Hamilton is the successor to certain area municipalities, including the former municipality known as the "The Corporation of the City of Hamilton" and is the successor to the former regional municipality, namely, "The Regional Municipality of Hamilton-Wentworth";

AND WHEREAS the City of Hamilton Act, 1999, provides that the Zoning By-laws and Official Plans of the former area municipalities and the Official Plan of the former regional municipality continue in force in the City of Hamilton until subsequently amended or repealed by the Council of the City of Hamilton;

AND WHEREAS the Council of The Corporation of the City of Hamilton passed Zoning By-law No. 6593 (Hamilton) on the 25th day of July 1950, which by-law was approved by the Ontario Municipal Board by Order dated the 7th day of December 1951, (File No. P.F.C. 3821);

AND WHEREAS the Council of the City of Hamilton, in adopting Section 16 of Report 04-006 of the Planning and Economic Development Committee at its meeting held on the 16th day of March, 2004, recommended that Zoning By-law No. 6593 (Hamilton), be amended as hereinafter provided;

AND WHEREAS this by-law is in conformity with the Official Plan of the Hamilton Planning Area, approved by the Minister under the Planning Act on June 1, 1982.

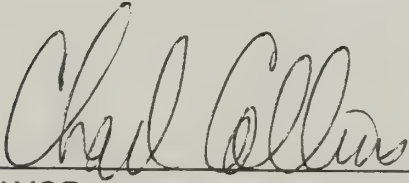
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Sheet No. W-27c of the District Maps, appended to and forming part of By-law No. 6593 (Hamilton), is amended,

- (a) by changing from "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. – Holding) District, Modified, the extent and boundaries of which are shown as Block 1 on a plan hereto annexed as Schedule "A".
 - (b) by changing from "AA" (Agricultural) District to "C"-H' (Urban Protected Residential, etc. – Holding) District, the extent and boundaries of which are shown as Block 2 on a plan hereto annexed as Schedule "A".
2. The 'H' symbol applicable to the lands referred to in section 1 shall be removed conditional upon,
- (i) That the owner/applicant conducts an archaeological assessment of the entire development property and mitigate, through preservation or resource removal and documentation, adverse impacts to any significant archaeological resources found; to the satisfaction of the Director of Development and Real Estate, Planning and Development Department; and,
 - (ii) That the owner/applicant investigate the noise levels on the site and determine the noise control measures that are satisfactory to the City of Hamilton in meeting the Ministry of the Environments recommended sound level limits, to the satisfaction of the Director of Development and Real Estate, Planning and Development Department.
3. The "C" (Urban Protected Residential, etc.) District provisions, as contained in Section 9 of Zoning By-law No. 6593, applicable to the lands, shown as Block 1 on a plan hereto annexed as Schedule "A", are amended to the extent only of the following special requirement:
- (a) That notwithstanding Section 9(4) of Zoning By-law 6593, every lot shall have a minimum width of at least 11.6 metres;
4. No building or structure shall be erected, altered, extended or enlarged, nor shall any building or structure or part thereof be used, nor shall any land be used, except in accordance with the "C" (Urban Protected Residential, etc.) District provisions, subject to the special requirement referred to in section 1.
5. By-law No. 6593 (Hamilton) is amended by adding this by-law to section 19B as Schedule S-_____.

6. The City Clerk is hereby authorized and directed to proceed with the giving of notice of the passing of this by-law, in accordance with the Planning Act.

PASSED and ENACTED this 24th day of March, 2004.

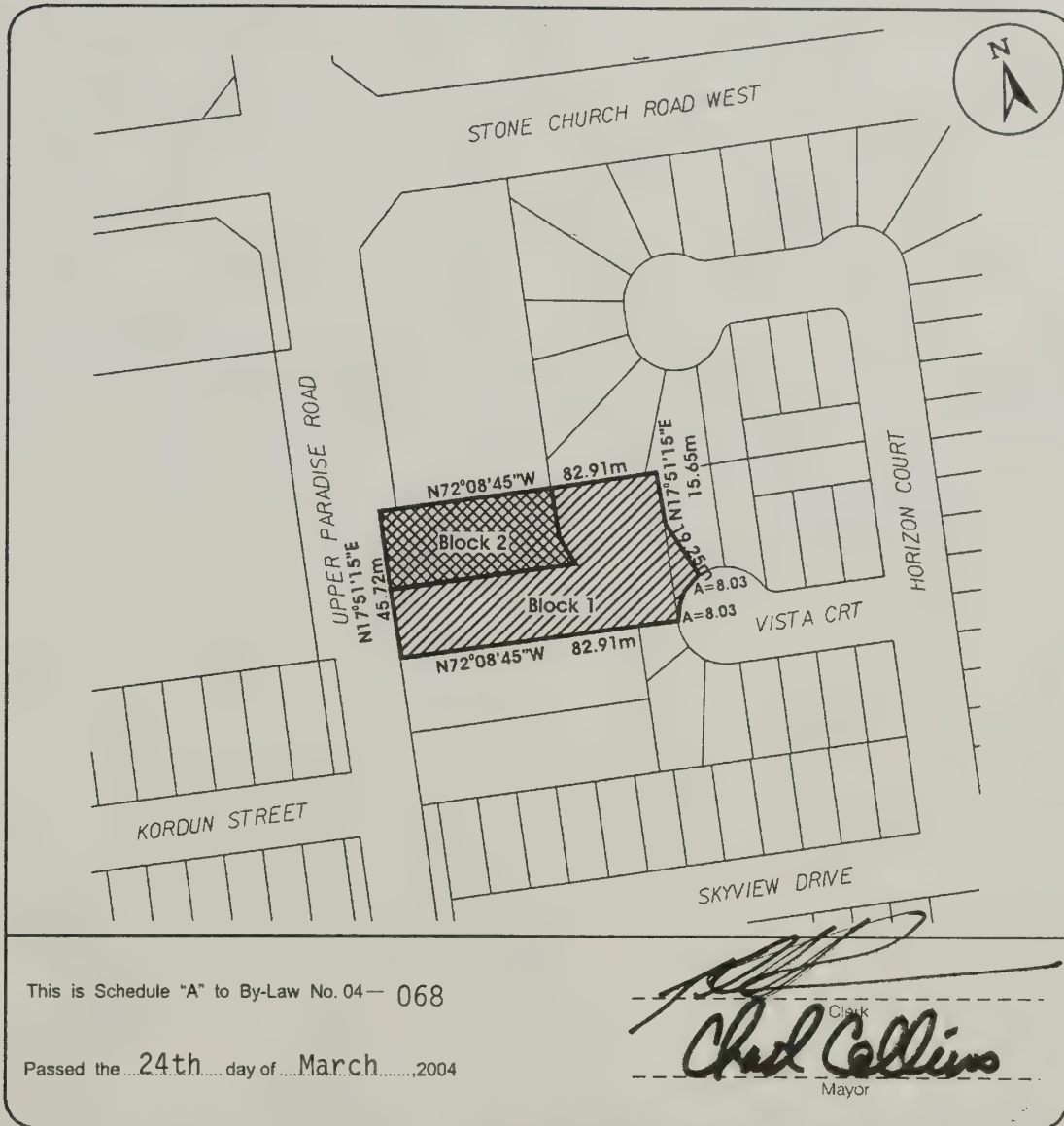


MAYOR



CLERK

ZAR-03-96



Schedule "A"

Map Forming Part of
By-Law No. 04-068
to Amend By-Law No. 65-93



Planning and Development Department

Legend

Subject Property

937 Upper Paradise Road



Block 1 - Change in Zoning from "AA" (Agricultural)
District to "C" - "H" (Urban Protected Residential, etc.
- Holding) District



Block 2 - Change in Zoning from "AA" (Agricultural)
District to "C" - "H" (Urban Protected Residential, etc.
- Holding) District, Modified

North



Scale

NOT TO SCALE

Date

February 23 2004

Reference File No

ZAR-03-96

Drawn By

N.B

CA4 ON HBL A08
B91

Authority: CM: March 24, 2004

Bill No. 069

CITY OF HAMILTON

BY-LAW NO. 04-069

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 210(123) of the Municipal Act, R.S.O. 1990, Chapter M.45, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

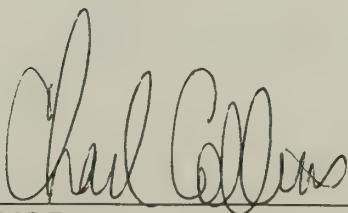
AND WHEREAS it is necessary to amend By-law No. 01-215;

NOW THEREFORE the Council of the City of Hamilton enacts as follows:

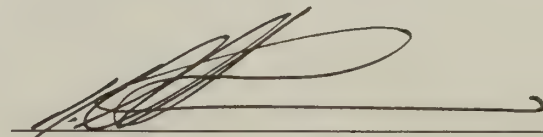
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by deleting from Section "E" thereof the following item, namely:

"Brigadoon Eastbound and Westbound Graywood"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 24th day of March, 2004



MAYOR



CLERK

CA 4 ON HBL A08
B91

Authority:

Item 13, Planning and Economic
Development Committee
Report: 04-006 (PD04079)
CM: March 24, 2004

Bill No. 070

CITY OF HAMILTON

BY-LAW NO. 04-070

To Adopt:

Official Plan Amendment No. 97 to the Former Town of Flamborough Official Plan;

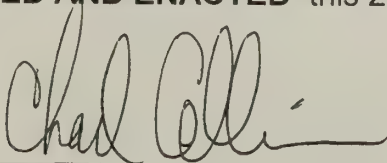
Respecting:

ADMINISTRATIVE AMENDMENT

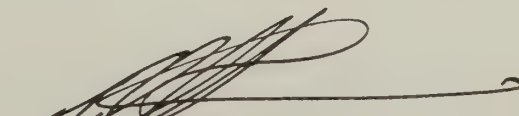
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

1. Amendment No. 97 to the Official Plan of the Town of Flamborough Planning Area consisting of Schedule 1, hereto annexed and forming part of this by-law, is hereby adopted.
2. It is hereby authorized and directed that such approval of the Official Plan Amendment referred to in section 1 above, as may be requisite, be obtained and for the doing of all things for the purpose thereof.

PASSED AND ENACTED this 24th day of March 2004



MAYOR


CLERK

Amendment No. 97

to the

Official Plan of the Former Town of Flamborough

The following text together with Schedules "A", "B", "C", "D", and "E", attached hereto, constitutes Official Plan Amendment No. 97.

Purpose:

The purpose of this Amendment is to incorporate a number of changes to the Official Plan, which have created inconsistent policies and land use designations between the approved Official Plan Amendments and the Official Plan document. These inconsistencies involve incorrect numbering of policies and the exclusion of land use changes on specific schedules. **It is important to note that this Amendment does not result in any changes to approved policy, rather its purpose is to effect the corrections identified in the body of this Amendment.**

Basis:

The Official Plan is updated on a regular basis to ensure it remains relevant to the current planning principles. Various Official Plan Amendments adopted in the former Town of Flamborough contained text references to incorrect sections and specific policy numbers. Further, the location and size of certain lands were inadvertently left off specific schedules contained within the Official Plan. In some instances, the text contained within the Official Plan was also incorrect and did not reflect the Amendment from which it originated. Thus, changes are required to ensure the intent of the Official Plan Amendments are maintained and the appropriate policies and schedules are included in the Official Plan.

Actual Changes:**A) Text**

1. That Subsection A.3.2 – Urban Commercial, Subsection A.3.2.10 relating to Urban Commercial – Site Specific Areas be renumbered to Subsection **A.3.2.11**.
2. That Subsection A.3.2.10 – Urban Commercial – Site Specific Areas, Policies A.3.2.10.1 and A.3.2.10.2 be renumbered to Policy **A.3.2.11.1** and Policy **A.3.2.11.2** respectively.
3. That **Subsection A.4.4** – Urban Institutional – Site Specific Areas, be

amended by:

- i. Deleting the introduction to the Subsection and replacing it with the following text so the entire introduction reads as follows:

"To account for special circumstances affecting specific sites, the following policy applies to these Urban Institutional – Site Specific Areas."

4. That Subsection A.4.4 – Urban Institutional – Site Specific Areas, **Policy A.4.4.1** be amended by:

- i. Deleting the text in its entirety and replacing it with the following text, so the entire policy reads as follows:

"A.4.4.1 The lands shown on Schedule 'A' as Urban Institutional – Site Specific Area No. 5 shall be permitted to be used only for one dwelling unit or day nursery with one dwelling unit."

- ii. That the policy as it is written in Official Plan Amendment No. 74 (OSBORNE), as approved by the Ontario Municipal Board (OMB Decision No. 1661 dated October 12, 2001)(OMB Tracking #01-314) be amended to reflect the changes identified above in (i).

5. That the numbering of Subsection A.3.4 – Mixed Use Areas as identified in Official Plan Amendment No. 28 (WATERDOWN URBAN AREA EXPANSION) and receiving approval by Cabinet Order (June 19, 2002)(OMB Tracking #02-385) be renumbered and amended as follows:

- i. Subsection A.3.4 Mixed Use Areas is renumbered and included into the Official Plan as **Subsection A.3.6.**;

- ii. That the following text be included as an introductory text to the Subsection, and shall read as follows:

"A.3.6 MIXED USE AREA

MIXED USE AREAS are those areas in the URBAN AREA which allow the integration of residential, commercial and business uses, institutional and public uses, and transit facilities. It is intended that development provide employment centres and residential areas to encourage pedestrian traffic. It is also intended that MIXED USE AREAS encourage pedestrian traffic. It is also intended that MIXED USE AREAS encourage transit-oriented facilities such as commuter terminals and parking areas."

- iii. That Policies A.3.4.1 to A.3.4.10 inclusive, as identified in Official Plan Amendment No. 28, be renumbered and included into the Official Plan as **Policies A.3.6.1 to A.3.6.10** inclusive; and,
- iv. That the following bolded text be added to policy A.3.6.1 at the end of the paragraph , so the entire policy reads as follows:

“A.3.6.1 Those areas designated on Schedule ‘A’ as MIXED USE AREA shall permit integrated residential, commercial and business uses, institutional and public uses, and transit facilities.

In addition, neighbourhood type commercial uses may be permitted which shall generally be interpreted as local convenience stores serving the needs of the immediate residential area and may include such uses as jug milk stores, hair cutting and styling establishments, dry cleaning pick-up depot, take-out restaurant, video store.”

- 6. That Subsection A.6.2 – Development Policies, **the introductory paragraph** be amended by adding the following land use designation:
 - i. “Prestige Industrial-Automotive” following subsection (ii) and identifying it as being “Deferred, Under Section 17(21) of the Planning Act”;
 - ii. that subsections (iii), (iv), (v) and (vi) are renumbered as (iv), (v), (vi) and (vii) respectively.
- 7. That Subsection A.6.2 – Development Policies, **Subsection A.6.2.3 Prestige Industrial-Automotive** be added and include the following policies:

- i. **A.6.2.3 Prestige Industrial-Automotive (OPA 38)**

6.2.3.1 Lands designated Prestige-Industrial-Automotive, in the northeast quadrant of the Business Park, shall be used for the permitted uses on landscaped lots on a park-like surrounding. This land use designation shall be the highest order use in the I.B.P. A high standard of building design and appearance is required and undeveloped parts of lots shall be landscaped in order to achieve the intended prestige image. The location of the following permitted uses will be more specifically determined in the implementing Zoning By-law:

- (i) Automobile sales and service and accessory open storage

and vehicles;

- (ii) Automobile service station;
- (iii) Automobile repair garage;
- (iv) Gas bar; and,
- (v) Car Wash.

6.2.3.2 In those areas on the periphery of the I.B.P., particularly adjacent to existing and/or possible future residential development, only those uses that do not emit odour, dust or noise will be permitted. In addition, any lighting requirements shall be located and directed so that their negative visual is no impact on adjacent existing or future residential areas. Accordingly, the Town's implementing Zoning By-law will specify the permitted uses, setbacks and heights of permitted buildings. The Ministry of Environments and Energy will be asked to review these uses, setbacks and heights prior to approval of the implementing Zoning By-law.

6.2.3.3 Notwithstanding the permitted uses in the Prestige Industrial – Automotive designation, the outdoor display of those goods (excluding automobiles) which are sold only to the general public may be permitted in accordance with the provisions of the Zoning By-law, subject to Site Plan Control. The Town encourages the innovative design of outdoor display areas in conjunction with landscape, planting and signage features on the site.

ii. that subsections A.6.2.3, A.6.2.4, A.6.2.5, and A.6.2.6 are renumbered as **A.6.2.4, A.6.2.5, A.6.2.6, and A.6.2.7** respectively.

8. That the numbering of Policy B.2.12.1 as identified in Official Plan Amendment No. 19 be renumbered and included into the Official Plan as **Policy B.2.12.3**.
9. That the numbering of Policy B.9.8.2 as identified in Official Plan Amendment No. 21 be renumbered and included into the Official Plan as **Policy B.9.8.4**.
10. That the numbering of Policy B.8.4.6 as identified in Official Plan Amendment No. 27 be renumbered and included into the Official Plan as **Policy B.8.4.5**.
11. That the numbering of Policy B.9.8.2 as identified in Official Plan Amendment No. 42 be renumbered and included into the Official Plan as **Policy B.9.8.3**.
12. That the numbering of Policy B.2.12.3 as identified in Official Plan Amendment No. 45 be renumbered and included into the Official Plan as **Policy B.2.12.5**.

13. That Subsection B.9.8 – Open Space and Recreation – Site Specific Areas, **Policy B.9.8.7** be amended as follows:
 - i. That Policy B.9.8.7, as identified in Official Plan Amendment No. 71 (ENVIRONS LANDSCAPING) be renumbered and included into the Official Plan as **Policy B.9.8.8**; and,
 - ii. That the numbering of Policy B.9.8.7 as it is written in the Ontario Municipal Board Decision (OMB Decision No. 1994 dated October 29, 1999) and as it relates to Official Plan Amendment No. 71 be renumbered in the OMB Decision as **Policy B.9.8.8**.
14. That Subsection B.9.8 – Open Space and Recreation – Site Specific Areas, **Policy B.9.8.____** be amended as follows (OMB Decision No. 1043)(OMB Tracking #01-321):
 - i. That Policy B.9.8.____, as identified in Official Plan Amendment No. 76 (OLYMPIA PARK) be renumbered and included into the Official Plan as **Policy B.9.8.11**; and,
 - ii. That “Site Specific Area No. 53” be assigned to Policy B.9.8.11 so the entire policy reads as follows:

“B.9.8.11 (a) The lands shown on Schedule “B” as Site Specific Area No. 53 may be used for a mobile home park of 15 sites. In addition, ancillary uses may also be permitted...”
15. That the numbering of Policy B.2.12.7 as identified in Official Plan Amendment No. 78 be renumbered and included into the Official Plan as **Policy B.2.12.8**.
16. That Subsection B.3.10 – Rural – Site Specific Areas, Policy B.3.10.6 as identified in Official Plan Amendment No. 82 be renumbered and included into the Official Plan under Subsection B.2.12 – Agriculture – Site Specific Areas, as **Policy B.2.12.9**.
17. That the numbering of Policy A.9.8.9 as it is written in the Ontario Municipal Board Decision (OMB Decision No. 1833 dated November 9, 2001)(OMB Tracking #01-316) and as it relates to Official Plan Amendment No. 83 be renumbered in the OMB Decision as **Policy B.9.8.9**. and included into the Official Plan as Policy **B.9.8.9**.
18. That Subsection B.9.8 – Open Space and Recreation – Site Specific Areas,

Policy B.9.8.9 be renumbered to Policy **B.9.8.10**.

19. That Subsection B.2.12 – Agriculture – Site Specific Areas, **Policy B.2.12.11** be amended by:

- i. Replacing the words "*Agricultural Site Specific Area No. 51*" with "*Agricultural Site Specific Area No. 54*";

so the entire policy reads as follows:

"B.2.12.11 Notwithstanding Subsection A.2, Agriculture, and the Agriculture designation on the lands municipally known as 1345 Highway No. 6, and identified on Schedule 'B', Rural Land Use Plan, as "Agriculture Site Specific Area No. 54", the following additional uses shall be permitted: mini-storage use with accessory office/residential unit and outdoor storage."

20. That the numbering of Policies E.3.2, E.3.3, E.3.4, E.3.5 and E.3.6 as identified in Official Plan Amendment No. 29 be renumbered and included into the Official Plan as **Policies E.3.2.1, E.3.2.2, E.3.2.3, E.3.2.4, and E.3.2.5**.

21. That the numbering of Policies E.3.3, E.3.4, and E.3.5 as identified in Official Plan Amendment No. 63 be renumbered and included into the Official Plan as **Policies E.3.2.2, E.3.2.3, and E.3.2.4**.

B) Schedules

1. That Schedule "A" – Waterdown Urban Area – be revised by:

- i. Adding the land use designation "Mixed Use" to the Schedule; and,
ii. Redesignating the subject lands from "Urban Residential" to "Mixed Use", as shown on the attached Schedule "A" of this Amendment.

2. That Schedule "A-1" – Flamborough Business Park Secondary Plan – be revised by:

- i. Identifying those lands subject to OPA 23;
ii. Redesignating a portion of the lands subject to OPA 23 from "General Industrial" to "Prestige Industrial";
iii. Identifying those lands subject to OPA 38;

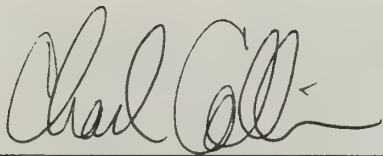
- iv. Adding the land use designation "Prestige Industrial-Automotive" to the Schedule and labelling it as being "Deferred, Under Section 17(21) of the Planning Act" as per OPA 38; and,
 - v. Identifying those lands subject to the "Prestige Industrial-Automotive" designation as being "Deferred, Under Section 17(21) of the Planning Act" as per OPA 38, as shown on the attached Schedule "B" of this Amendment.
3. That Schedule "B" – Rural Land Use Plan – be revised by:
- i. Including the subject lands within the Greensville Rural Settlement Area Boundary;
 - ii. Adjusting the boundary of the subject lands to reflect the size and shape of the parcel identified in OPA 32;
 - iii. Identifying those lands subject to OPA 76 and labelling them as "Site Specific Area No. 53";
 - iv. Identifying those lands subject to OPA 93; and,
 - v. Changing the Site Specific Area Number on those lands subject to OPA 93 from "Site Specific Area No. 51" to "Site Specific Area No. 54", as shown on the attached Schedule "C" of this Amendment.
4. That Schedule "B-8" – Freelon Rural Settlement Area – be revised by:
- i. Adjusting the boundary of the subject lands to reflect the size and shape of the parcel identified in OPA 16, as shown on the attached Schedule "D" of this amendment.
5. That Schedule "B-16" – Greensville Rural Settlement Area – be revised by:
- i. Adding the land use designation "Institutional" to the Schedule;
 - ii. Redesignating the subject lands from "Settlement Commercial" to "Institutional", as shown on the attached Schedule "E" of this Amendment.

Implementation:

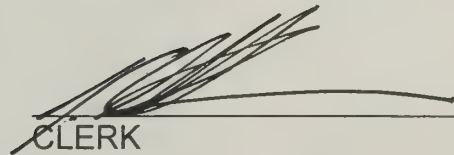
The provisions of Section F: Implementation of the former Town of Flamborough Official Plan will give effect to this Amendment.

This is Schedule "1" to By-law No. 04-070, passed on the 24th day of March, 2004.

The City of Hamilton

A handwritten signature in cursive script, appearing to read "Charles", written over a horizontal line.

MAYOR

A handwritten signature in cursive script, appearing to read "M. [unclear]", written over a horizontal line.

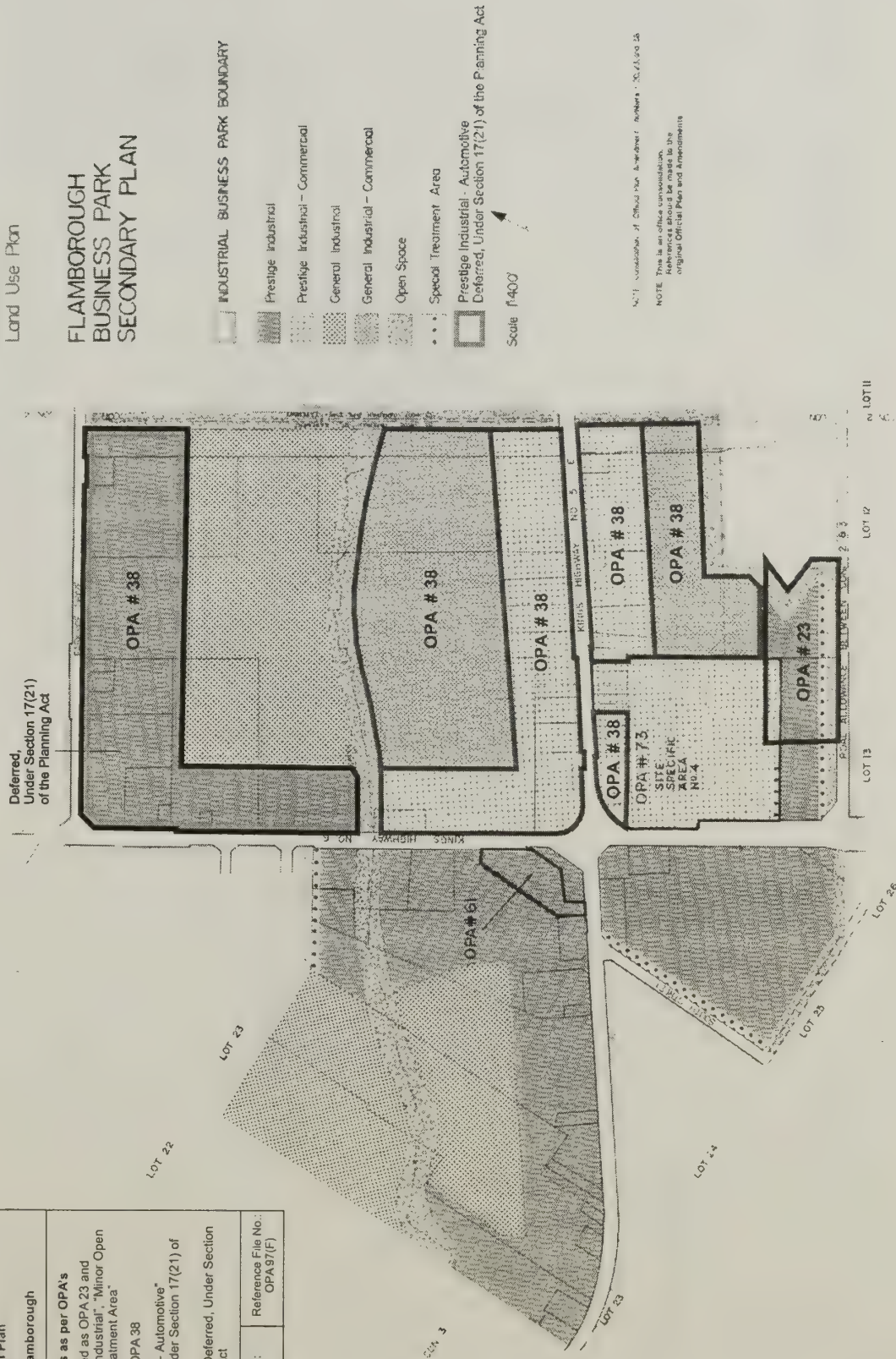
CLERK

Schedule B Amendment No. 97 (Administrative) To the Official Plan for the Former Town of Flamborough	
Previous Map Changes as per OPA's Add subject lands labeled as OPA 23 and designate as "Prestige Industrial", "Minor Open Space" and "Special Treatment Area" ☐ Identify lands as being OPA 38 Add "Prestige Industrial - Automotive" Designation deferred under Section 17(21) of the Planning Act ☐ Identify lands as being Deferred, Under Section 17(21) of the Planning Act ☐	Date: March 18, 2004 Revised By: J.S. Reference File No.: OPA97(F)

Schedule 'A-1'
Land Use Plan

FLAMBOROUGH
BUSINESS PARK
SECONDARY PLAN

- INDUSTRIAL BUSINESS PARK BOUNDARY**
- Prestige Industrial
 - Prestige Industrial - Commercial
 - General Industrial
 - General Industrial - Commercial
 - Open Space
 - Special Treatment Area
 - Deferred, Under Section 17(21) of the Planning Act
- Scale 1"=400'



N.T.1. Variation of Official Plan Boundary Numbers - Schedule B

NOTE: This is an office consultation. References should be made to the original Official Plan and Amendments.

WATERDOWN URBAN AREA

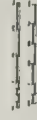
LAND USE PLAN

Schedule A TO THE OFFICIAL PLAN

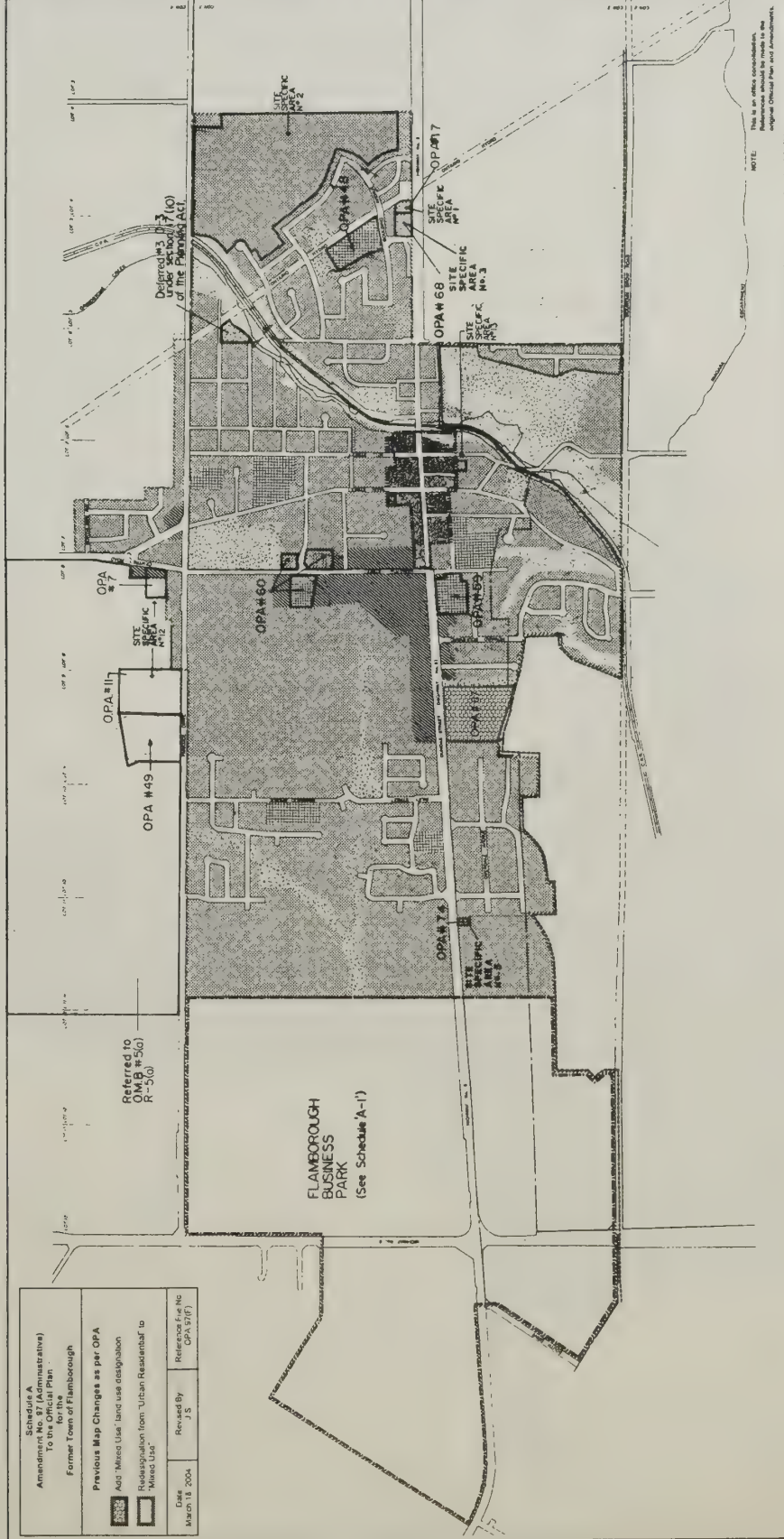
LEGEND

Land Use Designations

- Mixed Use
- Residential
- Institutional
- Business District
- Highway Commercial - Urban
- Urban Commercial
- Parks and Open Space
- Hazard Lands
- Urban Area Boundary
- Clapperton's Corners Industrial
- Business Park Boundary
- Flamborough Niagara Escarpment
- Plan Area Boundary
- Parkway Belt West
- Plan Area Boundary



NOTES:
1. This map is for informational purposes only and does not constitute a legal document.
2. Refer to the zoning by-law for more information.
3. Refer to the zoning by-law for more information.



Schedule A Amendments to the Official Plan for the Former Town of Flamborough	
Previous Map Changes as per OPA	
OPA #49	Add "Mixed Use" land use designation
OPA #60	Redesignation from "Urban Residential" to "Mixed Use"
Date: March 18, 2004	Revised By: J.S.
	Reference File No: OPA 57(F)

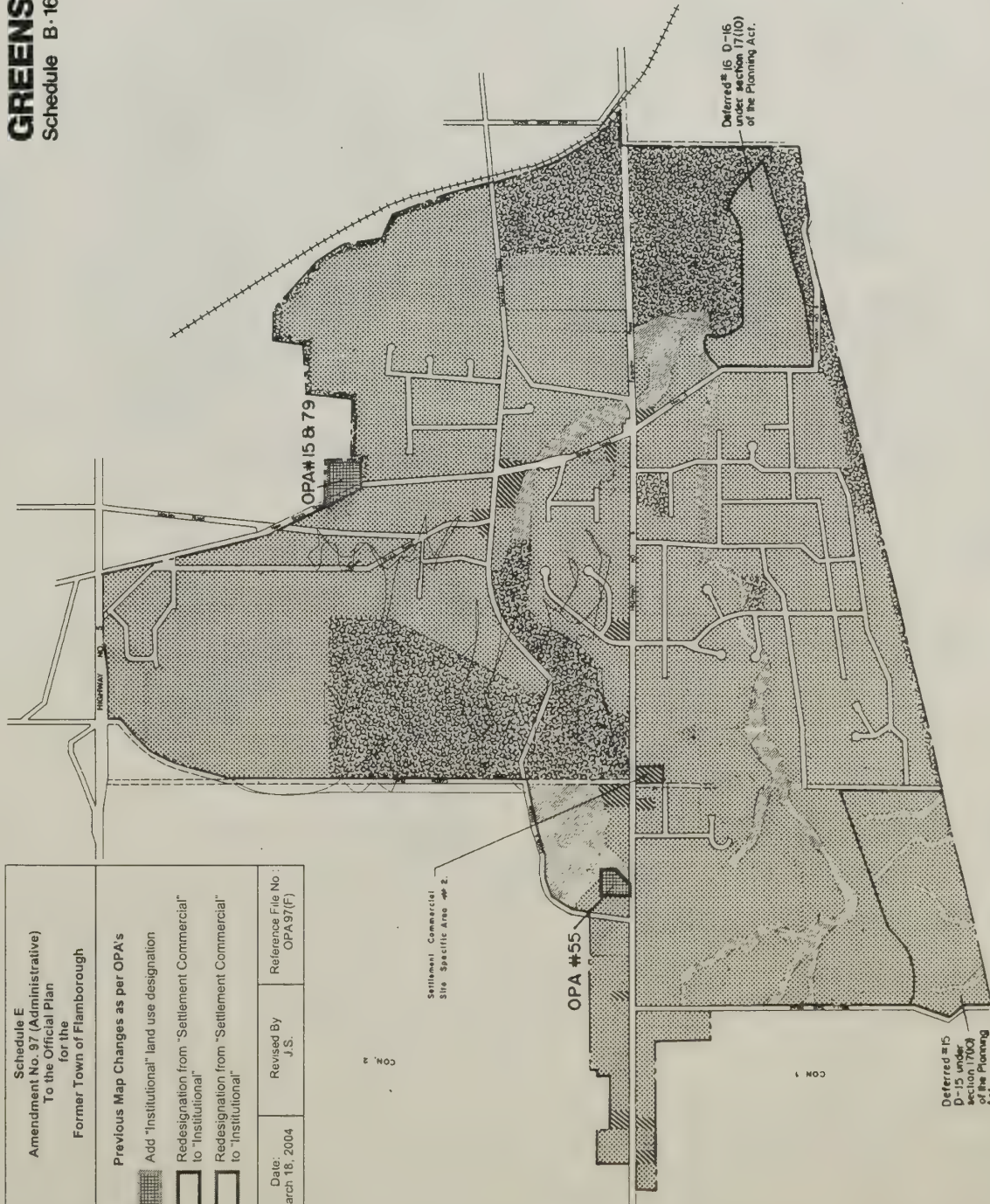
BY-LAW NO. 88-57-0 DATE 6/8/98

GREENSVILLE

Schedule B-16

RURAL SETTLEMENT AREAS: Greenville

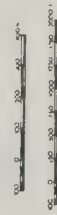
Schedule E Amendment No. 97 (Administrative) To the Official Plan for the Former Town of Flamborough		
Previous Map Changes as per OPA's		
	Add "Institutional" land use designation	
	Redesignation from "Settlement Commercial" to "Institutional"	
	Redesignation from "Settlement Commercial" to "Institutional"	
Date: March 18, 2004	Revised By J.S.	Reference File No.: OPA 97(F)



LEGEND

Land Use Designations

- Settlement Residential
- Settlement Commercial
- Hazard Lands
- Settlement Open Space
- Settlement Area Boundary
- Institutional



NOTE: This Schedule forms part of the Official Plan and shall be read in conjunction with the text.

NOTE: This is an office consolidation. Reference should be made to the original Official Plan and Amendments.

January 2004

Town of Flamborough Planning and Development Department

BY - LAW NO. 88-87-0 DATE 6/6/88

FREELTON

Schedule B-8

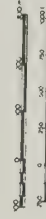


Schedule D Amendment No. 97 (Administrative) To the Official Plan for the Former Town of Flamborough		Previous Map Changes as per OPA Boundary of Subject Lands adjusted to reflect the size and shape of the parcel identified in OPA 16
Date: March 18, 2004	Revised By: J.S.	Reference File No. OPA97(F)

RURAL SETTLEMENT AREAS:

Freelton

- LEGEND**
- Land Use Designations**
- Settlement Residential
 - Settlement Commercial
 - Hazard Lands
 - Settlement Open Space
 - Settlement Area Boundary



NOTE: This Schedule forms part of the Official Plan and must be read in conjunction with the text.

NOTE: This is an office consolidation. References should be made to the original Official Plan and Amendments.

January 2004

CA 4 ON HBC A08
B91

Authority: Item 1, Public Works,
Infrastructure and Environment
Committee Report 04-008
CM: March 24, 2004

Bill No. 071

CITY OF HAMILTON

BY-LAW NO. 04- 071

To Amend By-law No. 01-215
Being a By-law To Regulate Traffic

WHEREAS Section 11(1)1 of the Municipal Act, S.O. 2001, Chapter 25, as amended, confers upon the councils of all municipalities the power to enact by-laws for regulating traffic on highways subject to the Highway Traffic Act;

AND WHEREAS Section 314(7) of the Municipal Act confers upon councils of all municipalities the power to enact by-laws to provide for placing, regulating and maintaining upon the public highways traffic signs for the purpose of guiding and directing traffic;

AND WHEREAS on the 18th day of September, 2001, the Council of the City of Hamilton enacted By-law No. 01-215 to regulate traffic;

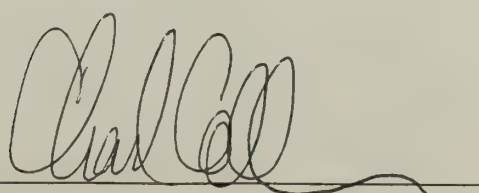
AND WHEREAS it is necessary to amend By-law No. 01-215;

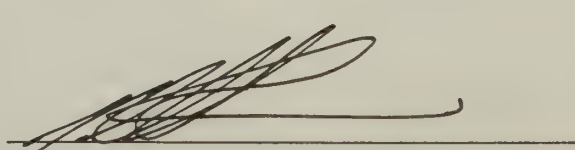
NOW THEREFORE the Council of the City of Hamilton enacts as follows:

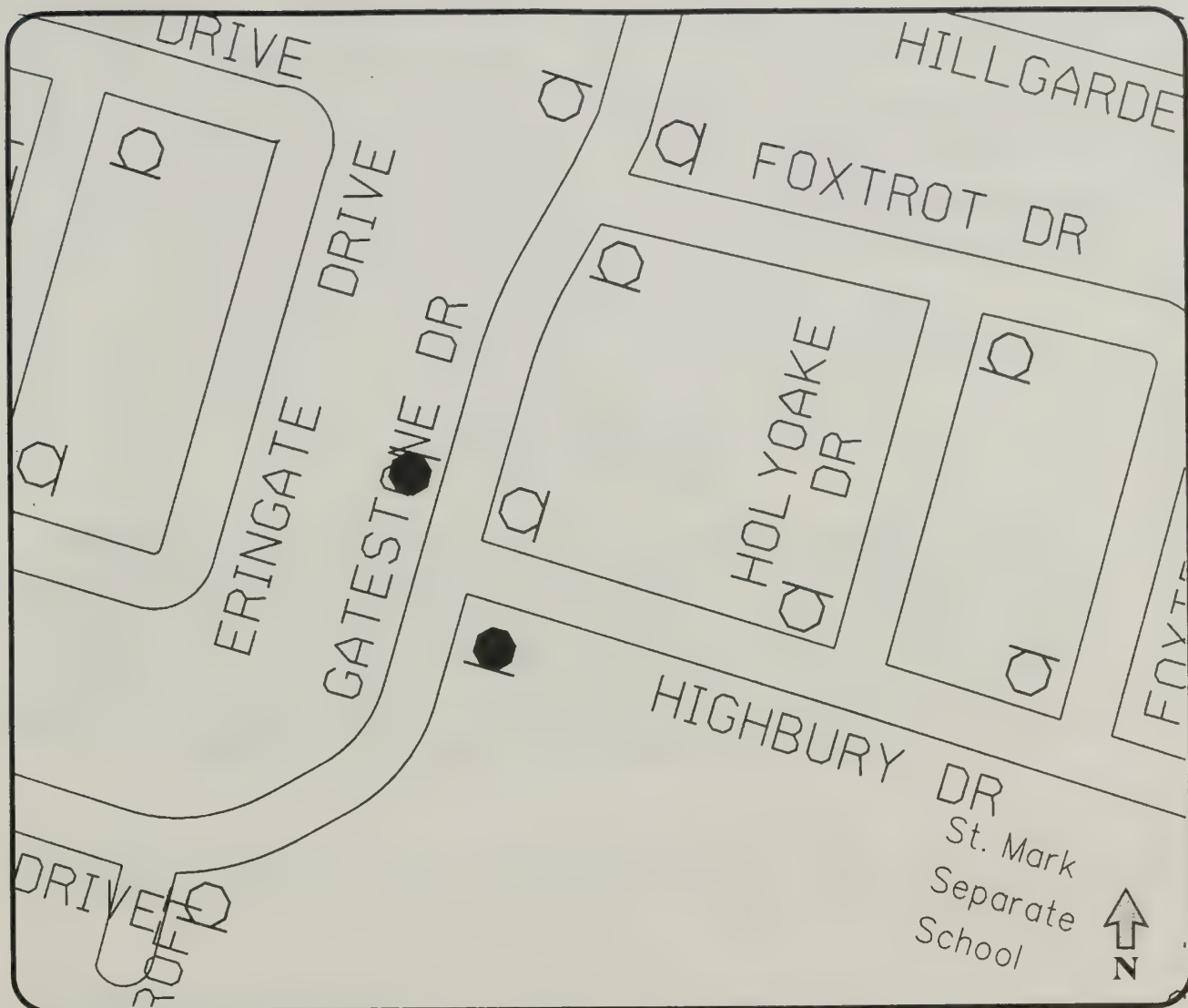
1. Schedule 5 (Stop Signs) of By-law No. 01-215, as amended, is hereby further amended by adding to Section "F" thereof the following item, namely:

"Gatestone Northbound and Southbound Highbury"
2. Subject to the amendments made in this By-law, in all other respects, By-law No. 01-215, including all Schedules thereto, as amended, is hereby confirmed unchanged.
3. This By-law shall come into force and take effect on the date of its passing and enactment.

PASSED and ENACTED this 24th day of March , 2004


MAYOR


CLERK



KEY MAP



LOCATION PLAN

ALL-WAY STOP CONTROL: Highbury Drive at Gatestone Drive

CITY OF HAMILTON
PUBLIC WORKS DEPARTMENT

LEGEND

➔ SUBJECT INTERSECTION

RECOMMENDED

- TRAFFIC SIGNAL
- STOP SIGN
- ▼ YIELD SIGN

EXISTING

- TRAFFIC SIGNAL
- STOP SIGN
- ▼ YIELD SIGN

SCALE

NOT TO SCALE

DATE

2004-03-24

REFERENCE FILE NO: **PW04030**

C440N HBL A08
B91

Authority: Item 7, Public Works,
Infrastructure and Environment
Committee
Report 04-008 (PW03119a)
CM: March 24, 2004

Bill No. 072

**CITY OF HAMILTON
BY-LAW NO. 04-072**

**BEING A BY-LAW TO EXPROPRIATE AN EASEMENT OVER CERTAIN
LANDS IN THE CITY OF STONEY CREEK, NOW CITY OF HAMILTON, BEING
PART OF LOT 13, REGISTRAR'S COMPILED PLAN 1424, DESIGNATED AS
PARTS 1 AND 2 ON PLAN 62R-15649 AND PART 1 ON PLAN 62R-16352,
BEING PART OF PIN 17317-0052(LT), KNOWN MUNICIPALLY AS 952
QUEENSTON ROAD, STONEY CREEK, NOW CITY OF HAMILTON, FOR THE
PURPOSES OF SANITARY SEWER INSTALLATIONS**

WHEREAS Section 6 of the Municipal Act, 2001, S.O. 2001, c. 25 as amended empowers a municipality to expropriate land in accordance with the Expropriations Act.

AND WHEREAS the City of Hamilton, as expropriating authority, made application to the Council of the City of Hamilton on the 10th day of September, 2003 for approval to expropriate an Easement over Parts 1 and 2 on Reference Plan 62R-15649 and Part 1 on Plan 62R-16352, being the land described in Schedule "A" attached hereto (and forming part of this by-law) in accordance with the Expropriations Act, R.S.O. 1990, Chapter E.26;

AND WHEREAS the City of Hamilton as expropriating authority did serve a Notice of the said Application for Approval to Expropriate upon each registered owner of the said lands and did publish a Notice of the Application for Approval to Expropriate in the Hamilton Spectator; a newspaper having general circulation in the City of Hamilton, in accordance with the Expropriations Act;

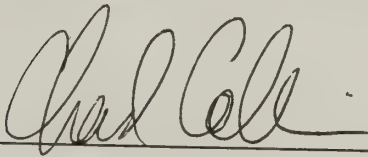
AND WHEREAS no request for an Inquiry Hearing was made by any of the owners of the lands described in Schedule "A" attached hereto and accordingly no Inquiry Hearing has been held;

AND WHEREAS the Council of the City of Hamilton, as approving authority deems it expedient to grant the Application to Expropriate the said lands.

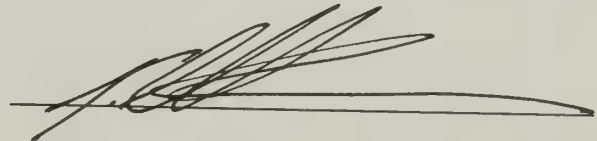
NOW THEREFORE THE COUNCIL OF THE CITY OF HAMILTON ENACTS AS FOLLOWS:

1. That, as approving authority under the Expropriations Act, the said Application for Approval to Expropriate an Easement over the lands more particularly described in Schedule "A" attached hereto (and forming part of this By-law), made by the City of Hamilton as expropriating authority, be and the same is hereby granted and an Easement over the said lands being Parts 1 and 2 on Reference Plan 62R-15649 and Part 1 on Plan 62R-16352, registered in the Land Titles Office for the Land Titles Division of Wentworth (No. 62), being Part of PIN 17317-0052(LT), is hereby expropriated for the purposes of sanitary sewer installations.
2. That the Mayor, Clerk and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to implement and give effect to the provisions of this By-law and this authority shall include the taking of all necessary proceedings to enter and to take possession of the lands hereby expropriated.

PASSED and ENACTED this 24th day of March , 2004.



MAYOR



CITY CLERK

SCHEDULE A TO BY-LAW NO. 04-072

CITY OF HAMILTON EXPROPRIATION OF AN EASEMENT OVER:

ALL AND SINGULAR those lands and premises located in the City of Hamilton and the Province of Ontario being composed of Part of Lot 13, Registrar's Compiled Plan 1424, designated as Parts 1 and 2 on Plan 62R-15649 and Part 1 on Plan 62R-16352, being Part of PIN 17317-0052(LT), known municipally as 952 Queenston Road, City of Stoney Creek, now City of Hamilton.

CA 4 ON HBL A08
B91

MUNICIPAL DOCUMENT

Bill No. 073

THE CITY OF HAMILTON

BY-LAW NO. 04- 073

To Confirm the Proceedings of City Council at its meeting held on March 24, 2004

**THE COUNCIL OF THE
CITY OF HAMILTON
ENACTS AS FOLLOWS:**

1. The Action of City Council at its meeting held on the 24th day of March, 2004 in respect of each recommendation contained in,

Public Works, Infrastructure and Environment Committee, Report 04-008, March 15, 2004,

Planning and Economic Development Committee, Report 04-006, March 16, 2004 ,

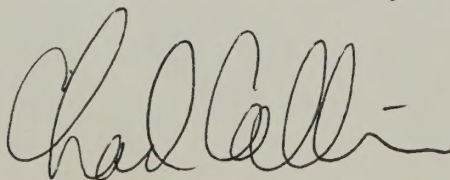
Licensing Committee Report 04-004, March 4, 2004,

Community Services Committee Report 04-005, March 24, 2004

considered by City of Hamilton Council at the said meeting, and in respect of each motion, resolution and other action passed and taken by the City Council at its said meeting, is, except where prior approval of the Ontario Municipal Board is required, hereby adopted, ratified and confirmed.

2. The Mayor of the City of Hamilton and the proper officials of the City of Hamilton are hereby authorized and directed to do all things necessary to give effect to the said action or to obtain approvals where required, and except where otherwise provided, the Mayor and the City Clerk are hereby directed to execute all documents necessary in that behalf, and the City Clerk is hereby authorized and directed to affix the Corporate Seal of the Corporation to all such documents.

PASSED and ENACTED this 24th day of March, 2004



MAYOR

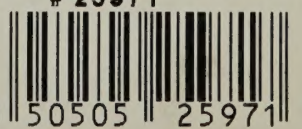


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